

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
FINANCE**

**Tuesday, April 3, 2018
10:30 AM
State Capitol, Conference Room 308**

**In consideration of
SENATE BILL 2237, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO PUBLIC SCHOOLS**

Senate Bill 2237, Senate Draft 2, House Draft 1 proposes to transfer fee interest in certain public school lands from the City and County of Honolulu (City) and the Department of Land and Natural Resources (Department), as applicable, to the Department of Education (DOE). This measure also proposes to exempt the transferred lands from classification as public lands. **The Department opposes this measure offers the following comments and concerns.**

The Department notes that Governor's executive orders to the DOE are limited to school purposes. Should the DOE wish to use school parcels for revenue generation through commercial development rather than for school purposes, the DOE would need to seek an amendment of the executive orders, which would be subject to the approval of the Board of Land and Natural Resources (Board) and Governor.

The Department opposes the inclusion of the automatic reversionary interest as described in SECTION 5. First, at the end of the useful life of the school and income generating project contemplated by the measure, the structures will likely be in a dilapidated condition and possibly contaminated with hazardous materials. Therefore, at the least, DOE ought to be required to remove at its sole cost all improvements and restore the land to its original condition prior to any return to the Department or the City. Secondly, given that the measure includes revenue generation as part of "public educational purposes", the Department presumes that if the lands conveyed cease to be used for public educational purposes it would mean that the land has minimal or no revenue generation potential either. If this is the case, the land may also have little or no income generating potential for the Department and may end up only resulting in a

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

maintenance and financial burden. In any event, DOE ought to be required to remove at its sole cost all improvements and restore the land to its original condition prior to its return.

Finally, the Department notes that SECTION 2 of the measure, the proposed Section 302A-, (c) in fact prohibits DOE from selling, exchanging, transferring, assigning or pledging any real or personal property to any entity other than a government entity. However, subsections (a) and (b) of that same section authorize the sale, exchange, transfer or conveyance of real and personal property without restriction. As such, these potentially inconsistent provisions may have been an oversight in drafting.

The Department recommends the measure be amended to delete the amendments of House Draft 1 and restore the prior Senate Draft 2 version of this measure. House Bill 2678, House Draft 1, Senate Draft 1 is a similar measure that also incorporates those provisions more favored by the Department.

Thank you for the opportunity to comment on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2018**

ON THE FOLLOWING MEASURE:

S.B. NO. 2237, S.D. 2, H.D. 1, RELATING TO PUBLIC SCHOOLS.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Tuesday, April 3, 2018

TIME: 10:30 a.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Russell A. Suzuki, Attorney General, or
David D. Day, Deputy Attorney General

Chair Luke and Members of the Committee:

The Department of the Attorney General ("Department") provides the following comments:

The purposes of this bill are to require the City and County of Honolulu and the Department of Land and Natural Resources, as applicable, to convey land upon which 58 public schools sit, with existing improvements, to the Department of Education. The bill further provides the DOE with the power to acquire real, personal, or mixed property, and sell, assign, exchange, transfer, convey, lease, dispose of, or encumber the same, among other things.

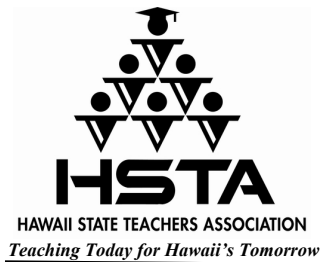
The Department believes that it lacks sufficient information regarding the 58 properties at issue to perform a full analysis of the legal implications of the bill. For instance, how the City and County of Honolulu or Department of Land and Natural Resources came to own each individual parcel or the potential existence of pollutants on site could have broad legal consequences.

Therefore, we respectfully suggest that a concurrent resolution be offered to direct an appropriate agency to conduct a study into land owned by the City and County of Honolulu or Department of Land and Natural Resources that is currently used for public schools. To the extent the agency would require money to conduct the study, a bill with an appropriation would be required.

The Department further notes that the bill as drafted does not indicate how the properties will be conveyed, what type of legal instruments will be prepared to convey the parcels to the Department of Education, what entity or entities will be responsible for preparing those legal instruments, or whether those legal instruments will be subject to review or approval by the Department of the Attorney General, as required by sections 107-10 and 26-7, Hawaii Revised Statutes.

Finally, we note that the bill could be subject to challenge as violative of article VIII, section 5, of the Hawai'i Constitution, which provides: "If any new program or increase in the level of service under an existing program shall be mandated to any of the political subdivisions by the legislature, it shall provide that the State share in the cost." To the extent the bill may be interpreted as directing the City and County of Honolulu to prepare legal instruments conveying certain parcels to the Department of Education, the bill does not appropriate any funds for this mandate.

Thank you for the opportunity to provide these comments.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

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TESTIMONY BEFORE THE HOUSE COMMITTEE ON
FINANCE

RE: SB 2237, SD 2, HD 1 - RELATING TO PUBLIC SCHOOLS

TUESDAY, APRIL 3, 2018

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Luke, and Members of the Committees:

The Hawaii State Teachers Association **supports SB 2237, SD 2, HD 1**, relating to public schools.

Our state's public school buildings are approximately 65-years-old on average. Facilities are damaged, restrooms and water foundations are in disrepair, classroom windows are broken, and campuses are plagued by rat and insect infestations. Our students, especially those with special needs, are subjected to dilapidated infrastructure. Though our state's repair and maintenance backlog has declined, the total cost of lingering projects runs into the hundreds of millions of dollars. Maintenance and capacity problems are particularly painful for developing communities, like the 'Ewa Plain, which will welcome 28,000 more buildings by the year 2021, and Kaka'ako, in which 39,000 new multi-family units are projected to be built within an approximately half-mile radius of rail transit stations, per the Honolulu Community Development Authority.

Last year, lawmakers passed Act 206, which required the City and County of Honolulu to transfer to the Hawai'i State Department of Land and Natural Resources all property upon which public high schools located on O'ahu are situated, while concurrently extending the state's 21st Century schools pilot program by an additional five years. Act 206 did not fully transfer all land on which public schools in Honolulu sit to DLNR, however, precluding the Hawai'i State Department of Education from exercising full control of its O'ahu campuses, for which the state nonetheless carries operational and maintenance responsibility.

For the 21st Century schools initiative imagined by Act 155 of 2013 to succeed, the DOE must have complete control of public school lands and facilities. Split ownership of these lands hampers redevelopment and impedes the department's ability to maximize the value of its real estate assets. Public-private partnerships intended to generate revenue for the repair, maintenance, and construction of school facilities is only possible if and when the department controls all real property on which schools sit, so that the department can explore innovative ways of managing school space that provide a benefit to both the school and the surrounding community, including through the possible initiation of projects on public school lands that are funded with private capital, like workforce housing.

A quality education is priceless. To provide our children with quality school facilities, the Hawaii State Teachers Association asks your committee to **support** this bill.



BEFORE THE HOUSE COMMITTEE ON FINANCE

Hawaii State Legislature
April 3, 2018

Senate Bill 2237 SD2
Relating to Public Schools

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee,

The Ka Lāhui Hawaii Political Action Committee (KPAC) opposes Senate Bill 2237 SD2 which consolidates ownership of lands currently being used by the Department of Education (DOE) under the DOE and removes these lands from the 'public lands' category in order to make it easier for the DOE to develop and commercialize these lands in order to raise funds. KPAC opposes for the following reasons:

1. It is the State's responsibility to adequately fund the DOE and should make this a priority in budgeting and should fully fund the DOE's budget requests.
2. Utilizing public educational facilities like public schools for corporate development could set a dangerous precedent in the commercialization of public facilities including the education of our most precious resource, our children.
3. These lands are primarily Kanaka Maoli lands or "ceded lands" (former Hawaiian Kingdom Crown and government) to which Kanaka Maoli never relinquished their rights too. These lands should not be removed from the "ceded lands" inventory without first consulting the Kanaka Maoli people.
4. The removal of DOE lands from "public lands" and from the 5(f) public trust purposes that include being used toward the betterment of the conditions of native Hawaiians could also potentially be determined to be a breach of trust (see below).

By way of background, Professor Williamson Chang of the UH Law School has detailed his analysis that the Joint Resolution was incapable of acquiring Hawai'i at http://blog.hawaii.edu/aplpj/files/2015/09/APLPJ_16_2_Chang.pdf. Despite this analysis, the former Crown and government lands of the Kingdom of Hawai'i were illegally transferred to the US and as a condition of Statehood was transferred to the State of Hawaii to be held as a public trust for 5 purposes including the betterment of the conditions of native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920. The Admissions Act further states that any other object besides the 5 purposes shall constitute a breach of trust for which suit may be brought by the United States. The Article XII Constitutional provisions further establish that the lands are held as a public trust for native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920 and should be used solely for that purpose.

The Ka Lāhui Hawai'i Political Action Committee (KPAC) affirms and defends the Kanaka Maoli peoples' right to over 1.8 million acres of our national lands.

Respectfully submitted,

M. Healani Sonoda-Pale
Chair, KPAC



'ĀINA HAINA COMMUNITY ASSOCIATION

c/o 'Āina Haina Library, 5246 Kalaniana'ole Highway, Honolulu, HI 96821
ainahainaassoc@gmail.com; www.ainahaina.org

Jeanne Ohta, President • Melia Lane-Kanahele, Vice-President • Art Mori, Treasurer • Kathy Takemoto, Secretary • Directors At Large: Jeff Carlson, Wayson Chow, Patricia Moore, Marie Riley

April 3, 2018

To: Representative Sylvia Luke, Chair
Representative Ty Cullen, Vice Chair and
Members of the Committee on Finance

From: Jeanne Y. Ohta, President

RE: SB 2237 SD2 HD1 Relating to Public Schools
Hearing: Tuesday, April 3, 2018, 10:30 a.m., Room 308

POSITION: STRONG OPPOSITION

The Board of Directors of the 'Āina Haina Community Association (AHCA) write in opposition to SB 2237 SD2 HD1 Relating to Public Schools, which transfers the land of certain public schools from the City and County of Honolulu to the State of Hawaii.

AHCA specifically opposes the new definition of “educational purpose” to include any use of the property, including revenue generation, that would benefit the department of education's mission to provide public education to students in Hawaii.

AHCA also opposes the transfer of adjacent City and County of Honolulu park property which includes a pavilion; basketball, volleyball, and tennis courts to the Department of Education.

It is our understanding that when the land under 'Āina Haina Elementary School was dedicated by the Hind Estate to the City, it was with a **covenant that restricted its use for education**. We do not believe that the State can now change the use of the land to commercial use for revenue generation.

HB 2679 HD1 SD1 now proposes a definition of “educational use” that is overly broad, ambiguous, and would allow “revenue generation” by businesses that are not appropriate in residential neighborhoods; and would also allow the Department of Education to develop popular and heavily-used community parks to generate revenue.

Many of the schools are located in residential neighborhoods. When they were built, they were built with the understanding that schools would be a reasonable use for land in residential neighborhoods, thus, the school properties received conditional use permits. The acceptable use is for education of the children of the neighborhood.

AHCA is opposed to any proposal that would limit or curtail public use of community park property. As written, the current proposal would allow the Department of Education to take community park lands and use them for revenue generation, leaving our community without public recreational facilities.

AHCA opposes the commercial use of property in residential neighborhoods, especially because they lead to overcrowding and an increase in traffic and parking on streets designed for residential uses. We are also concerned about the capacity of our aging infrastructure as these schools are located in older neighborhoods.

Many school campuses have residential homes on property adjacent to the schools. This proposal would negatively impact those homes and change the nature of neighborhoods.

We ask that the committee defer this measure. Thank you for the opportunity to provide testimony in opposition.



LATE

**Testimony to the Housen Committee on Finance
Tuesday, April 3, 2018
10:30 am
State Capitol, Room 308**

RE: SB 2237 SD2 HD1 - Relating to Public Schools

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BIA-HAWAII

ADDRESS:
94-487 AKOKI STREET, SUITE 213
WAIPAHU, HAWAII 96797
P 808.847.4666
F 808.440.1198
E INFO@BIAHAWAII.ORG
WWW.BIAHAWAII.ORG

Chair Luke, Vice-Chair Cullen, & members of the Committee:

My name is Gladys Quinto-Marrone, CEO of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-HAWAII is in **strong support** of S.B.2237, SD 2, HD 1, which transfers fee interest in certain public school lands from the City and County of Honolulu and the Department of Land and Natural Resources, as applicable, to the Department of Education. Exempts transferred lands from classification as public lands.

The legislature passed Act 155, 2013 SLH. The purpose of Act 155 was to optimize the use of public school lands to generate opportunities to improve public school facilities and infrastructure to meet the challenges of the twenty-first century and to improve the overall quality of education in Hawaii. In particular, the Act was to establish a pilot program to generate revenue from uses for public purposes, such as workforce housing, to build and retrofit twenty-first century schools and create more school-centered communities.

We understand the Department of Education (DOE) has been implementing Act 155 through the development of a process which would allow them to redevelop underutilized school properties. A major barrier to these redevelopment efforts is the fact that the DOE does not own any of the lands it occupies. As the bill states, of the roughly 2,120 acres of land under its school facilities on Oahu, the City and County of Honolulu owns approximately one-half of the land under the existing school facilities, roughly 1,004 acres. In addition, the Department of Land and Natural Resources (DLNR) owns the other half, roughly 1,116 acres.

Investors and lenders raise concerns about the uncertainty, delays and risks associated with getting approvals from two different landowners. The DOE has no control over the approval process by either the City or the State DLNR.

As proposed, the bill will allow DOE to proceed with the implementation of Act 155, and possibly create opportunities for revenue generation, new or renovated schools, and mixed use developments, including housing and quite possibly teacher housing.

We believe that consolidating the ownership of land with the Department of Education is a necessary step that would truly test the concepts envisioned when Act 155 was first passed.

We are in **strong support** of S.B. 2237 SD 2, HD 1, and appreciate the opportunity to express our views on this matter.



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committee on Finance
Tuesday, April 3, 2018 at 10:30 A.M.
Conference Room 308, State Capitol**

LATE

RE: SENATE BILL NO. 2237 SD 2 HD1, RELATING TO PUBLIC SCHOOLS

Chair Luke, Vice Chair Cullen, and members of the committee:

The Chamber is in support of S.B.2237 SD 2 HD1, which 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. Gives the Department of Education power to acquire and hold title to real, personal, or mixed property for use for public educational purposes. Requires legislative approval prior to the sale or gift of lands to which the Department of Education holds title. to transfer to the Department of Education all property upon which a public elementary or intermediate school is situated.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We understand the Department of Education (DOE) has been implementing Act 155 through the development of a process which would allow them to redevelop underutilized school properties. A major barrier to these redevelopment efforts is the fact that the DOE does not own any of the lands it occupies. As the bill states of the roughly 2,120 acres of land under its school facilities on Oahu, the City and County of Honolulu owns approximately one-half of the land under the existing school facilities, roughly 1,004 acres. In addition, the Department of Land and Natural Resources (DLNR) owns the other half, roughly 1,116 acres.

Investors and lenders raise concerns about the uncertainty, delays and risks associated with getting approvals from two different landowners. The DOE has no control over the approval process by either the City or the State DLNR.

The proposed bill will allow DOE to proceed with the implementation of Act 155, and possibly create opportunities for revenue generation, new or renovated schools, and mixed use developments, including housing and quite possibly teacher housing.



Chamber of Commerce HAWAII

The Voice of Business

As drafted, the Bill creates two different owners of the fee simple lands under public schools. DOE would be one of the owners based on conveyance of the lands from the City and County of Honolulu. The Department of Land and Natural Resources would be the other owner as they presently hold title to all of the State-owned lands under public schools.

The legislature should consider the language in SB 2237 which transfers the lands under certain public schools on Oahu from both the City and County of Honolulu and the State Department of Land and Natural Resources to the Department of Education. This would consolidate the ownership of the land under one owner, the Department of Education, and remove a major obstacle from the DOE's ability to re-position underutilized assets.

We believe the proposed bill, if amended, is a necessary step that would truly test the concepts envisioned when Act 155 was first passed.

Thank you for the opportunity testify.



LATE

**SB2237 SD2 HD1
RELATING TO PUBLIC SCHOOLS
House Committee on Finance**

April 3, 2018

10:30 a.m.

Room 308

The Office of Hawaiian Affairs' Beneficiary Advocacy and Empowerment Committee (OHA) will recommend that the Board of Trustees **OPPOSE** SB2237 SD2 HD1, which would exempt lands held by the Hawai'i Department of Education (DOE) from the definition of "public lands" in Hawai'i Revised Statutes (HRS) §171-2, thereby allowing the potential sale or alienation of "ceded" lands without the critical procedural safeguards found in Chapter 171.

OHA appreciates that the DOE may benefit from greater flexibility and autonomy over the management and disposition of lands under its control, particularly given its critical mission to educate Hawai'i's keiki. OHA understands that this measure would accordingly remove lands held by the DOE from the Board of Land and Natural Resources' (BLNR's) oversight and management under Chapter 171, through an amendment to the definition of "public lands" in HRS §171-2.

However, to the extent that the DOE is granted the authority to sell or convey lands, OHA urges that this measure **expressly** reaffirm the continued application of current legislative approval requirements for the sale or alienation of **any** state lands, as found in HRS §171-64.7. This is critical to ensuring that DOE lands are treated consistently with other state lands generally removed from BLNR jurisdiction (such as lands held by the University of Hawai'i and other state entities), and thereby maintaining the ceded lands corpus. **OHA objects to the sale of "ceded" lands except in limited circumstances, and notes that the legislative approval requirements for the sale of state lands in HRS §171-64.7 were enacted to ensure a high level of accountability and transparency in any proposed alienation of the state's limited land base, as well as to protect "ceded" lands from being sold prior to the resolution of Native Hawaiians' unrelinquished claims.** Notably, the enactment of HRS §171-64.7 was a condition precedent to the settlement agreement in the OHA v. Housing and Community Development Corporation of Hawai'i lawsuit, brought in response to the State's actions to sell and otherwise alienate ceded lands.

Therefore, should the Committee choose to move this measure, OHA respectfully asks that a new paragraph (9) be inserted into subsection (a) of HRS §171-64.7, to read as follows:

“(9) Lands to which the department of education holds title.”

Although OHA recognizes that Section 2 of SB2237 SD2 HD1 limits the sale and transfer of lands by the DOE only to government entities, the protections of HRS §171-64.7 could still be circumvented if DOE-held “ceded” lands are sold or transferred to a federal government entity, or sold or transferred to a county entity that subsequently sells or transfers such lands to a private party. Under this scenario, neither transfer would be subject to HRS §171-64.7. **Again, OHA’s requested amendment would require that any and all sales or transfers of land by DOE would be subject to the same legislative approval required of other state agencies exempted from Chapter 171, which provides key protections for the ceded lands corpus.**

Finally, OHA notes that Act 155 (Reg. Sess. 2013) established a pilot program for the leasing of public school lands. Under this pilot program, the DOE is authorized to lease school land and facilities for revenue generating purposes, in accordance with the terms of HRS §302A-1151.1. Most recently, at the Hawai‘i Board of Education’s (BOE) March 13, 2018, Finance and Infrastructure Committee (Committee) meeting, the Committee recommended, and the BOE later approved, seven (7) sites for further review for lease under the pilot program. **OHA respectfully submits that this measure may be premature, particularly as the DOE and the Legislature have not yet had the opportunity to examine the forthcoming results of the Act 155 pilot program, which may better inform what authorities, exemptions, and safeguards, if any, should be applied to the DOE and any lands under its control.**

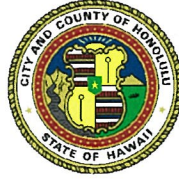
Accordingly, OHA urges the Committee to **HOLD** SB2237 SD2 HD1, or to incorporate the amendment suggested above. Mahalo nui for the opportunity to provide testimony on this measure.

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

1000 Uluohia Street, Suite 309, Kapolei, Hawaii 96707 •
PHONE: (808) 768-3003 • FAX: (808) 768-3053
Website: www.honolulu.gov

LATE

KIRK CALDWELL
MAYOR



MICHELE K. NEKOTA
DIRECTOR

JEANNE C. ISHIKAWA
DEPUTY DIRECTOR

April 2, 2018

THE HOUSE COMMITTEE ON FINANCE
April 3, 2018 Conference Room 308

The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
and Members of the Committee on Finance

OPPOSITION TESTIMONY ON
SENATE BILL 2237, SD2 HD1: RELATING TO PUBLIC SCHOOLS

Dear Chair Luke, Vice Chair Cullen, and Members of the Committee:

Thank you for the opportunity to testify on SB 2237, SD2 HD1, "Relating to Public Schools." The Department of Parks and Recreation (DPR) cannot support SB2237, SD2, HD1, in its current form as it does not state the requirement included in SB2237, SD2, that the Department of Education (DOE) and the City and County of Honolulu ("City") "*shall agree on the proposed property boundary separating the school and park portions of the properties. The department of education shall subdivide the foregoing parcels in accordance with the agreed upon property boundaries.*"

DPR continues to oppose the transfer of 58 identified parcels of land upon which a public school is situated; 14 are abutting public park lands to the DOE. All these properties were dedicated to the City for park purposes in order for DPR to fulfill its mission of providing open public space and recreational activities to the entire community in which the park is located. Transferring these properties to DOE for possible redevelopment and revenue generating options does not further the intent of these lands.

For example:

Item 32: TMK 3-2-059-002 (Kaimuki Intermediate). The attached TMK indicates the State would claim the entire TMK, which includes the Kilauea Gymnasium, a popular city facility, which abuts Kilauea District Park.

Item 30: TMK 1-3-024-002 (Kaewai Elementary). This TMK indicates the State would claim the entire TMK, which includes the gymnasium, swimming pools, basketball, volleyball, and tennis courts, play fields and play apparatus at Kalihi Valley District Park. This park is a very busy park with numerous sports leagues, volleyball clubs and the Police Activities League (PAL).

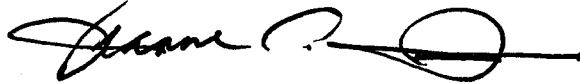
The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
and Members of the Committee on Finance
Page 2

Affected communities should be made aware that SB 2237, SD2 HD1 will effectively end DPR's keiki to kupuna recreational programming, including our flagship Summer Fun program, all of which takes place in the various 14 abutting parks. Numerous sports leagues (baseball, softball, soccer, football, tennis, basketball, and volleyball) and community events will likely be cancelled. The department cannot support actions which will result in the loss of park facilities and fields, an insurmountable recreational impact to the children, teens, adults, families, and organizations of these communities.

To further understand the anticipated recreational impact, please see the attached listing of city properties identified in SB 2237, SD2 HD1. The highlighted items indicates the parks, and essentially its communities, which will be severely affected by this proposed bill.

Mahalo for the opportunity to submit testimony on SB 2237, SD2 HD1.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele K. Nekota", with a large, stylized flourish at the end.

(for) Michele K. Nekota
Director

Attachment

Facilities and Courts for SB 2237 SD2 HD1

- (1) TMKs 1-9-4-59-72, 1-9-4-59-73, 1-9-4-59-74 (August Ahrens Elementary);
- (2) TMK 1-9-1-115-13 (Ewa Beach Elementary);
- (3) TMK 1-9-1-17-2, 1-9-17-37 (Ewa Elementary);
- (4) TMK 1-9-7-36-124 (Highlands Intermediate);
- (5) TMK 1-9-1-1-2 (portion) (Ilima Intermediate);
- (6) TMK 1-9-1-1-3 (Iroquois Point Elementary);
- (7) TMK 1-9-1-1-22 (Kaimiloa Elementary);
- (8) TMK 1-9-7-93-16 (portion) (Palisades Elementary; 5.117 acres); Rec Ctr/Pav, 2BB/1VB Courts, 2SB Fields, Play App
- (9) TMKs 1-9-7-24-2 Parking Lot, 1-9-7-94-20 (Pearl City Elementary);
- (10) TMK 1-9-7-36-122 (Pearl City Highlands Elementary);
- (11) TMK 1-9-1-1-2 (portion) (Pohakea Elementary);
- (12) TMKs 1-9-4-10-40, 1-9-4-10-98, 1-9-4-29-1 (Waipahu Elementary);
- (13) TMK 1-9-4-1-29 (portion) BB/VB Courts, Play App, 1-9-4-1-30 (Waipahu Intermediate);
- (14) TMKs 1-1-1-10-33 (portion), 1-1-1-10-41 (Aliamanu Elementary);
- (15) TMK 1-1-1-10-33 (portion) (Aliamanu Intermediate);
- (16) TMKs 1-9-8-29-2, 1-9-8-29-29 (Alvah Scott Elementary);
- (17) TMK 1-1-1-34-42 NONE (Moanalua Elementary);
- (18) TMK 1-1-1-9-5 (portion) CS, Pool, 3BB/1VB Courts, 2 SB Fields (Moanalua Intermediate);
- (19) TMK 1-1-1-2-6 (Nimitz Elementary);

- (20) TMK 1-1-1-10-27 (Pearl Harbor Elementary);
- (21) TMK 1-9-8-8-7 (portion) CS/Pav, BB/VB Courts, SB Field, Play App (Waimalu Elementary);
- (22) TMK 1-3-6-11-9 (portion) Rec Ctr, 2BB/VB/2T Courts, 2SB Fields, Play App (Aina Haina Elementary);
- (23) TMKs 3-4-004-002, 3-4-004-006, 3-4-004-007, 3-4-004-049 (portion) (Anuenue Elementary);
- (24) TMKs 2-1-005-001 (portion) CS/Pav, 2BB/2VB/2T Courts, SB Field, Play App, 2-1-005-002, 2-1-009-001, 2-1-009-002 NONE, 2-1-009-003 NONE (Central Intermediate);
- (25) TMKs 1-3-024-004, 1-3-024-005 (portion) (Dole Intermediate);
- (26) TMKs 1-3-001-017, 1-3-001-023, 1-3-001-058 (Fern Elementary);
- (27) TMK 1-3-9-38-001 (portion) (Hahaione Elementary); CS/Pav, 2BB/2VB Courts, SB Field, Play App
- (28) TMKs 2-8-029-010 NONE, 2-8-029-11 Rec Ctr, Pool, 2BB/1VB/2T Courts, 1BB/3SB Fields, Play App (Hokulani Elementary);
- (29) TMKs 2-4-012-001, 2-4-012-002 (Kaahumanu Elementary);
- (30) TMKs 1-3-024-001 NONE, 1-3-024-002 Gym, Pool, 2BB/2VB/3T Courts, 1BB/1SB Fields, Play App (Kaewai Elementary);
- (31) TMK 3-5-011-027 (Kahala Elementary);
- (32) TMK 3-2-059-002 Gym (Kaimuki Intermediate);
- (33) TMKs 1-5-024-029, 1-5-024-40 NONE, 1-5-024-001, 1-5-025-002 (portion) Gym, Rec Ctr, 4BB/3VB/4T Courts, 2SB Fields, Play App (Kalakaua Intermediate);
- (34) TMK 1-4-007-002 (portion) (Kalihi Elementary);
- (35) TMKs 1-1-5-025-002 (portion) Gym, Rec Ctr, 4BB/3VB/4T Courts, 2SB Fields, Play App, 1-5-028-075 (Kalihi-Kai Elementary);

- (36) TMKs 1-3-035-001 (portion) 1Bb/1VB Courts, 1 SB Field, Play App, 1-3-036-015, 1-3-036-079 Rec Ctr (Part of School Building), 1Bb/1VB Courts (Kalihi-Uka Elementary);
- (37) TMK 3-9-005-061 Rec Ctr, 4BB/2VB Courts, SB Field, Play App (Kamiloiki Elementary);
- (38) TMK 1-6-026-022 (Kapalama Elementary);
- (39) TMKs 1-7-023-041, 1-7-023-042 NONE (Kauluwela Elementary);
- (40) TMKs 2-2-099-011, 2-2-009-013 (Kawananakoa Intermediate);
- (41) TMK 3-9-022-037 CS/Pav, 2BB/2VB Courts, 2SB Field, Play App (Koko Head Elementary);
- (42) TMKs 2-7-017-029, 2-7-017-030, 2-7-027-010, 2-7-027-022 (Kuhio Elementary);
- (43) TMK 1-7-042-001 (Lanakila Elementary);
- (44) TMK 3-2-021-035 (Liholiho Elementary);
- (45) TMKs 1-6-008-016, 1-6-008-021, 1-6-008-022, 1-6-008-023, 1-6-008-024, 1-6-008-038, 1-6-008-058 (Likelike Elementary);
- (46) TMK 1-3-039-005 (Linapuni Elementary);
- (47) TMKs 2-3-030-052, 2-3-030-055, 2-3-030-056 (Lunalilo Elementary);
- (48) TMK 2-9-036-003 (portion) 2Gyms, Rec Ctr, Pool, 2BB/2VB/5T Courts, 1BB/3SB Fields, Play App (Manoa Elementary);
- (49) TMK 3-7-003-010 (portion) 2T, 3-7-003-067 (Niu Valley Intermediate);
- (50) TMK 2-9-023-023 (Noelani Elementary);
- (51) TMK 2-2-043-011 (Nuuuanu Elementary);
- (52) TMK 3-4-002-001, 3-4-002-002 (Palolo Elementary);
- (53) TMK 2-2-016-020 (Pauoa Elementary);

- (54) TMK 1-1-2-008-001 (Puuhale Elementary);
- (55) TMK 3-2-045-003 (Waialae Elementary);
- (56) TMK 3-1-025-001 (Waikiki Elementary);
- (57) TMK 2-3-026-001 (Washington Intermediate); and
- (58) TMK 3-5-017-012 (portion) Rec Ctr, 3BB/1VB Courts, 2SB Field, Play App (Wilson Elementary).

LEGEND: CS = Comfort Station
RC = Recreation Center
BB = Baseball Field
VB = Volleyball
SB = Softball Field
Play App = Play Apparatus
Gym = Gymnasium
Pool = Swimming Pool
T = Tennis Courts
PAV = Pavilion
Skate = Skate Park
BB/VB = Combo Courts
None = City property that a school is established on; no park facilities
Yellow Highlight = Loss of entire park land and facilities

SB-2237-HD-1

Submitted on: 4/2/2018 9:35:48 PM

Testimony for FIN on 4/3/2018 10:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Marshall	FEED THE STREET and KaLahui Political Action Committee	Oppose	Yes

Comments:

DAVID Y. IGE
GOVERNOR



LATE

DR. CHRISTINA M. KISHIMOTO
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 04/03/2018
Time: 10:30 AM
Location: 308
Committee: House Finance

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 2237, SD2, HD1 RELATING TO PUBLIC SCHOOLS.

Purpose of Bill: Transfers fee interest in certain public school lands from the City and County of Honolulu and the Department of Land and Natural Resources, as applicable, to the Department of Education. Exempts transferred lands from classification as public lands. (SB2237 HD1)

Department's Position:

The Hawaii State Department of Education (HIDOE) supports SB 2237, SD2, HD1. The HIDOE was provided the authority to develop its assets to create twenty-first century schools through Act 155, Sessions Law of Hawaii 2013. In our efforts to move projects forward for development, we regularly face the issue of land ownership.

Thank you for this opportunity to present testimony on this measure .

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.