



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

LATE

Date: 02/21/2018

Time: 10:08 AM

Location: 211

Committee: Senate Ways and Means

Department: Education

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

Title of Bill: SB 2237, SD1 RELATING TO PUBLIC SCHOOLS.

Purpose of Bill: 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. (SD1)

Department's Position:

The Hawaii State Department of Education (HIDOE) supports SB 2237, SD1. 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.

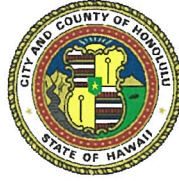
Thank you for this opportunity to present HIDOE testimony on SB 2237, SD1.

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.

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

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February 20, 2018

THE SENATE
COMMITTEE ON WAYS AND MEANS
February 21, 2018 Conference Room 211

LATE

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
and Members of the Committee on Ways and Means

TESTIMONY ON
SENATE BILL 2237, SD1: RELATING TO PUBLIC SCHOOLS

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

Thank you for the opportunity to testify on SB 2237, SD1, "Relating to Public Schools," requiring the City and County of Honolulu ("City") to transfer 84 identified parcels of land upon which a public school is situated, of which 36 are abutting public park land, to the Department of Education ("DOE").

The Department of Parks and Recreation ("DPR") thanks the Chair and his committee for including the suggested language requirement that the DOE and the City and County of Honolulu "*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.*"

We appreciate the subdivision language, but DPR continues to oppose the intent of SB 2237, SD1, for the same reasons that is cited within SB 2237, SD1. Like the State of Hawaii, the City and County has "*invested significant public funds on the maintenance and capital improvement projects*" on our park properties. An example of this is Item 59: TMK 3-2-059-002 (Kaimuki Intermediate School). The attached TMK indicates the State would claim the entire TMK, which includes the Kilauea Gymnasium, a popular city facility, which is abutting Kilauea District Park. DPR cannot support actions that 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.

Mahalo for the opportunity to submit testimony on SB 2237, SD1.

Sincerely,

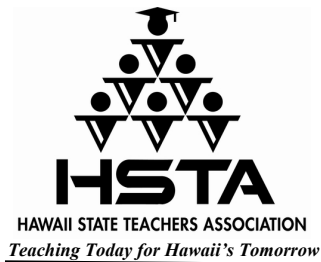
A handwritten signature in black ink, appearing to read "Michele K. Nekota".

(for) Michele K. Nekota
Director

Attachment



SB 2237, SD1 Relating to Public Schools (59) TMK 3-2-059-002 (Kaimuki Intermediate School) IMPACT: Loss of Kilauea Gymnasium, located next to Kilauea District Park



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TESTIMONY BEFORE THE SENATE COMMITTEE ON
WAYS AND MEANS

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

WEDNESDAY, FEBRUARY 21, 2018

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

LATE

Chair Dela Cruz and Members of the Committee:

The Hawaii State Teachers Association **supports SB 2237, SD 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.



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WAIPAHU, HAWAII 96797
P 808.847.4666

Testimony to the Senate Committee on Ways & Means
Wednesday, February 21, 2018
9:00 am
State Capitol, Room 309

LATE

RE: SB 2237 SD1 – Relating to Public School

Chair Dela Cruz, Vice-Chair Keith-Agaran, & 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 1, 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.

As drafted, S.B. 2237, SD 1, would still create a problem of potentially two different State agencies holding title to lands presently occupied by school facilities. We would prefer the Senate adopt the language in S.B. 2379 which proposes to transfer certain public school lands from city and county of Honolulu and the department of land and natural resources, as applicable, to the department of education.

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.

The language in S.B. 2379 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 the language in S.B. 2379 is a necessary step that would truly test the concepts envisioned when Act 155 was first passed.

We are in encourage the Committee to use the language in S.B. 2379 as the vehicle to move the discussion forward on this matter. We appreciate the opportunity to express our views on this matt



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the Senate Committee on Ways and Means
Wednesday, February 21, 2018 at 10:08 A.M.
Conference Room 211, State Capitol**

LATE

RE: SENATE BILL NO. 2237 SD 1, RELATING TO PUBLIC SCHOOLS

Chair Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the committee:

The Chamber is in support of S.B.2237 SD 1, 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.

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.

As drafted, S.B. 2237 SD 1, would still create a problem of potentially two different State agencies holding title to lands presently occupied by school facilities. We would prefer the Senate adopt the language in S.B. 2379 which proposes to transfer certain public school lands from city and county of Honolulu and the department of land and natural resources, as applicable, to the department of education.

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Chamber of Commerce HAWAII

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We believe the language in S.B. 2379 is a necessary step that would truly test the concepts envisioned when Act 155 was first passed.

We are in encourage the Committee to use the language in S.B. 2379 as the vehicle to move the discussion forward on this matter. We appreciate the opportunity to express our views on this matter.

Thank you for the opportunity to testify.

SB-2237-SD-1

Submitted on: 2/20/2018 9:55:07 PM

Testimony for WAM on 2/21/2018 10:08:00 AM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|-----------------------------------|---------------------------|---------------------------|
| Rachel L. Kailianu | Testifying for Ho`omana Pono, LLC | Oppose | Yes |

Comments:

In strong opposition...