

Honolulu, Hawaii

APR 26 2019

RE: S.B. No. 1303  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
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. 1303, S.D. 2, H.D. 2, entitled:

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

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 and intent of this measure is to:

- (1) Allow the Department of Education to lease public school lands for a term of not more than an unspecified number of years per lease;
- (2) Specify that title to the portions of Department of Education lands on which public libraries are located are held by the public library system;
- (3) Amend Act 206, Session Laws of Hawaii 2017, to allow the City and County of Honolulu to transfer lands under



existing Department of Education facilities directly to the Department of Education, rather than through the Department of Land and Natural Resources;

- (4) Exclude lands set aside by the Governor to the Hawaii Public Housing Authority and lands to which Hawaii Public Housing Authority holds title from the definition of public lands in section 171-2, Hawaii Revised Statutes; and
- (5) Require prior legislative approval for the sale of lands to which the Hawaii Public Housing Authority holds title.

Your Committee on Conference finds that Act 155, Session Laws of Hawaii 2013, established a pilot program to generate revenue from uses of public school lands for public purposes to build and retrofit twenty-first century schools and create more school-centered communities. However, the existing fifty-five year lease term creates issues in financing redevelopment projects. Therefore, extending the lease terms for redevelopment would allow prospective developers flexibility in securing financing.

Your Committee on Conference further finds that Act 206, Session Laws of Hawaii 2017, attempted to consolidate ownership of the lands under existing public schools from the City and County of Honolulu to the Department of Land and Natural Resources. However, the lands should be transferred directly from the City and County of Honolulu to the Department of Education to allow the Department of Education more flexibility to redevelop or reposition its assets.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that specified that title to the portions of Department of Education lands on which public libraries are located shall be held by the public library system;
- (2) Inserting a time frame of ninety-nine years per lease term for which the Department of Education is allowed to lease public school lands;
- (3) Changing the effective date to July 1, 2019; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

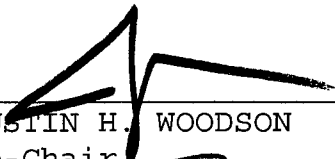



As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1303, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1303, S.D. 2, H.D. 2, C.D. 1.

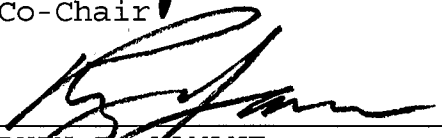
Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

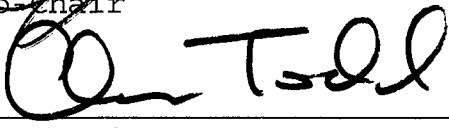
ON THE PART OF THE SENATE

  
\_\_\_\_\_  
JUSTIN H. WOODSON  
Co-Chair

  
\_\_\_\_\_  
MICHELLE N. KIDANI  
Chair

  
\_\_\_\_\_  
RYAN P. YAMANE  
Co-Chair

  
\_\_\_\_\_  
KAIMALI I. KAHELE  
Co-Chair

  
\_\_\_\_\_  
CHRIS TODD  
Co-Chair



