

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 976
S.D. 1

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

Sir:

Your Committees on Education and Water and Land, to which was referred S.B. No. 976 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a pilot program for the lease of public library lands to generate revenue to meet the mission of the public libraries;
- (2) Establish the library facilities fund; and
- (3) Require the Board of Education to submit a report to the Legislature prior to the Regular Session of 2021 and each regular session thereafter until the completion of the pilot project on various timelines, summaries, and proposed legislation.

Your Committees received testimony in support of this measure from the Hawaii State Public Library System, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Department of Land and Natural Resources.



Your Committees find that public libraries provide an invaluable service to the community. However, there is a need to examine new and innovative methods of generating funds to support the mission of the public libraries. Consequently, your Committees find that generating funds through the lease of public library lands may provide a viable source of funding for the public libraries. This measure establishes a pilot program to generate revenue through the lease of public library lands to meet the mission of the public libraries to be facilitated by the State Librarian, Board of Education, and any other appropriate agencies.

Additionally, your Committees note that, for the purposes of this measure, public land trusts may need to be set aside and lands currently held by the State on which libraries reside should be transferred to the Department of Education to hold title via executive order.

Your Committees have amended this measure by:

- (1) Deleting language that would have subjected the Board of Education to chapter 92, Hawaii Revised Statutes, and other public meeting and community participation requirements during the identification and selection process of public library land sites for participation in the pilot program;
- (2) Inserting language that specifies that library sites with outstanding general obligation bond debt shall be excluded from consideration as candidates for participation in the pilot program;
- (3) Extending the lease term of public library land sites from not more than fifty-five years per lease to not more than ninety-nine years per lease; and
- (4) Authorizing, rather than requiring, lessees of public library land sites to modify, construct, or utilize facilities to meet the mission of the public libraries.

As affirmed by the records of votes of the members of your Committees on Education and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 976, as amended herein, and recommend that it

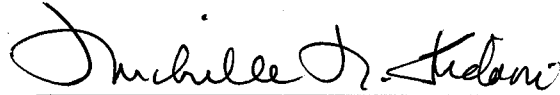


pass Second Reading in the form attached hereto as S.B. No. 976,
S.D. 1, and be referred to your Committee on Ways and Means.

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



KAIJALI I. HAHELE, Chair




MICHELLE N. KIDANI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

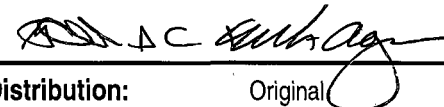

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB 976	Committee Referral: EDU/WTL, WAM	Date: 2/6/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	✓			
KIM, Donna Mercado (VC)	✓			
DELA CRUZ, Donovan M.				✓
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirtieth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB976	Committee Referral: EDU/WTL/UM	Date: 2/6/2019		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil				X
FEVELLA, Kurt	X			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original  Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy				

*Only one measure per Record of Votes