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GOVERNOR



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STATE OF HAWAII
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House Committee on Education

Tuesday, January 28, 2025
2:00 p.m.
Hawaii State Capitol, Room 309

House Bill 1074, Relating to the Use of Public Lands

Dear Chair Woodson, Vice Chair La Chica, and Members of the Committee:

The School Facilities Authority (SFA) offers **comments** on House Bill 1074, which would require the School Facilities Authority (SFA) to consult with the Department of Education (DOE) and other impacted departments or agencies prior to the conveyance of ownership rights or lease of lands to the SFA.

We note that whether this measure passes or not, the SFA is committed to consulting with any department or agency prior to requesting land from it.

As this measure is currently worded, it would treat DOE similarly to other state departments and agencies for the purpose of conveying identified land to the SFA. Section 302-1705, subsection (a), Hawaii Revised Statutes, currently differentiates the land conveyance requirements of the DOE and other state departments and agencies. The statute allows other departments and agencies to agree to terms and conditions with the SFA before conveying land, but the statute omits that right from the DOE. This was presumably purposeful by the Legislature to streamline the transferring of public school lands for education facility projects.

To keep this streamlining element in place, we recommend removing “upon terms and conditions as may be agreed to by the parties for the purposes of this chapter” on Page 3, Lines 10-11.

Sincerely,

Riki Fujitani
Executive Director



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 01/28/2025

Time: 02:00 PM

Location: 309 VIA VIDEOCONFERENCE

Committee: House Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Bill Title: HB 1074 RELATING TO THE USE OF PUBLIC LANDS.

Purpose of Bill: Requires the School Facilities Authority to consult with the Department of Education and other impacted departments or agencies prior to the conveyance of ownership rights or lease of lands to the School Facilities Authority.

Department's Position:

The Hawaii State Department of Education (Department) appreciates the opportunity to offer testimony in strong support of HB 1074.

Under Hawaii Revised Statute (HRS) §302A-1703 Powers; generally, the School Facilities Authority (SFA) is charged with the responsibility for the development, planning, and construction related for all public schools that are assigned by the Legislature, Governor, or the Hawaii State Board of Education. Although expedient execution and completion of the Department's capital improvements projects was the motivating force behind its creation, the SFA was intended to assist the Department in the area of facilities development.

The Department is requesting an amendment to delete on page 3, lines 10 - 11, "~~upon terms and conditions as may be agreed to by the parties for the purposes of this chapter.~~" Removing this language will create more flexibility for the parties to effectuate this bill.

As described in our 2023-2029 Strategic Plan, the Department envisions a K-12 public education system that prepares all graduates to be globally competitive, locally committed which means that students have the academic knowledge and skills to thrive and be successful balanced with the sense of responsibility to give back to our communities. School facilities and buildings play a key role in meeting this vision as echoed in Goal 3.1 that requires "all school facilities are safe, well-maintained, compliant with all laws and regulations, clean, and attractive to provide a positive and inviting learning environment for students and staff."

If the Department is going to be successful in providing an optimal learning and teaching environment for our students and teachers, it is imperative that the SFA partner with and consult with the Department in all aspects of its development, planning, and construction of public school facilities, including the proposed conveyance of ownership rights or lease of lands to itself.

Thank you for this opportunity to offer testimony in strong support of HB 1074.