STAND. COM. REP. NO. 1033

Honolulu, Hawaii Monch 20, 2009

RE: S.B. No. 733 S.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Education, to which was referred S.B. No. 733, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to ensure the equitable administration of school impact fees for financing new or expanding existing Department of Education (DOE) schools or facilities.

Specifically, this measure:

- (1) Requires DOE to update certain figures it uses to calculate impact fees, including:
 - (A) School site area averages;
 - (B) Facility construction costs per student in elementary, middle, and high schools; and
 - (C) The revenue credit for each residential unit developed;
- (2) Ensures that new residential developments are charged for a level of service (permanent versus portable facilities) that is equal to and not higher than the



current standards of the district in which the development is situated;

- (3) Clearly sets forth the distinction between a land component impact fee and a construction cost component impact fee;
- (4) Requires DOE to engage in an analysis on a district basis that includes the student generation rates for single-family and multi-family developments, considering the potential for making more efficient use of existing and underutilized assets in a school district, and potential changes to statewide school site areas and design enrollment standards;
- (5) Establishes school land area averages per student for elementary, middle, and high schools;
- (6) Clarifies the formula for calculating the school construction cost per unit for single-family and multifamily developments;
- (7) Requires that the impact fees collected within a school district be used only on schools serving the same school district; and
- (8) Requires DOE to return lands dedicated for school facilities or construction cost component impact fees that are not used for school facilities within 20 years of the land dedication or fee payment.

DOE supported this bill. The Land Use Research Foundation of Hawaii opposed this measure.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 733, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.



STAND. COM. REP. NO. 1033 Page 3

Respectfully submitted on behalf of the members of the Committee on Education,

ROY TAKUMI, Chair

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1980

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Education

ill/Resolution No.: 3 733, SD2, SSCR 842 EDN, (JLD) FIN		Date	Date: 3-16-09	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	V			
2. BERG, Lyla B. (VC)				
3. BERTRAM, Joe, III			United and a second s	r
4. CHANG, Jerry L.				4
5. HANOHANO, Faye P.				
6. MANAHAN, Joey				
7. NAKASHIMA, Mark M.				
8. RHOADS, Karl				
9. SAIKI, Scott K.				
10. SHIMABUKURO, Maile S.L.				
11. TAKAI, K. Mark			the second second second	
12. YAMANE, Ryan I.	r			
13. CHING, Corinne W.L.				
14. FINNEGAN, Lynn				
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TOTAL (14)	10			3
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Ouplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				