HOUSE OF REPRESENTATIVES TWENTY-NINTH LEGISLATURE, 2017 STATE OF HAWAII

H.B. NO. ¹⁸² H.D. 1

A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLES VII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY AND VISITOR ACCOMMODATIONS TO INCREASE FUNDING FOR PUBLIC EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that Hawaii's public
 schools are underfunded. Compared to school districts of
 similar size in other states, Hawaii ranks two hundred twenty seventh in per-pupil funding before adjusting for cost of
 living.

6 The legislature further finds that chronic underfunding of 7 public schools undermines the State's goal of providing a public education to all of Hawaii's children. Specifically, 8 9 insufficient education funding results in delayed repairs to 10 school facilities; overheated classrooms; higher class sizes; a 11 lack of adequate classroom supplies; elimination of arts, 12 career, and technical education courses; budget cuts for special education and English language learner programs; and an 13 14 increasing number of vacant teacher positions throughout the 15 State.



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1	The purpose of this Act is to propose amendments to the
2	Hawaii State Constitution to advance the State's goal of
3	providing a public education for the children of Hawaii by
4	authorizing the legislature to establish a surcharge on
5	residential investment property and visitor accommodations.
6	SECTION 2. Article VII, section 3, of the Constitution of
7	the State of Hawaii is amended to read as follows:
8	"TAXATION AND FINANCE
9	Section 3. The taxing power shall be reserved to the
10	State, except so much thereof as may be delegated by the
11	legislature to the political subdivisions, and except that all
12	functions, powers and duties relating to the taxation of real
13	property shall be exercised exclusively by the counties, with
14	the exception of the county of Kalawao $[-,]$; provided that the
15	legislature shall not be prohibited from establishing a
16	surcharge on residential investment property pursuant to
17	Article X, Section 1. The legislature shall have the power to
18	apportion state revenues among the several political
19	subdivisions."
20	SECTION 3. Article X, section 1, of the Constitution of

20 SECTION 3. Article X, section 1, of the Constitution of
21 the State of Hawaii is amended to read as follows:



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e	

"PUBLIC EDUCATION

2 Section 1. The State shall provide for the establishment, 3 support and control of a statewide system of public schools free 4 from sectarian control, a state university, public libraries and 5 such other educational institutions as may be deemed desirable, 6 including physical facilities therefor. There shall be no 7 discrimination in public educational institutions because of 8 race, religion, sex or ancestry; nor shall public funds be 9 appropriated for the support or benefit of any sectarian or 10 nonsectarian private educational institution, except that 11 proceeds of special purpose revenue bonds authorized or issued 12 under section 12 of Article VII may be appropriated to finance 13 or assist:

Not-for-profit corporations that provide early
 childhood education and care facilities serving the general
 public; and

17 2. Not-for-profit private nonsectarian and sectarian
18 elementary schools, secondary schools, colleges and
19 universities.

20 The legislature may establish, as provided by law, a
 21 surcharge on residential investment property and visitor



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1	accommodations to fund a public education for all of Hawaii's
2	children."
3	SECTION 4. The question to be printed on the ballot shall
4	be as follows:
5	"Shall the legislature be authorized to establish, as
6	provided by law, a surcharge on residential investment
7	property and visitor accommodations to fund a public
8	education for all of Hawaii's children?"
9	SECTION 5. Constitutional material to be repealed is
10	bracketed and stricken. New constitutional material is
11	underscored.
12	SECTION 6. This amendment shall take effect upon
13	compliance with article XVII, section 3, of the Constitution of
14	the State of Hawaii.



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Report Title:

Public Education; Residential Investment Property Surcharge; Visitor Accommodation Surcharge; Constitutional Amendment

Description:

Proposes amendments to the Hawaii State Constitution to advance the State's goal of providing a public education for the children of Hawaii by authorizing the Legislature to establish, as provided by law, a surcharge on residential investment property and visitor accommodations. (HB182 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

