
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:

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

6 The legislature further finds that chronic underfunding of
7 public schools undermines the State's goal of providing a public
8 education to all of Hawaii's children. Specifically,
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
13 education and English language learner programs; and an
14 increasing number of vacant teacher positions throughout the
15 State.



1 The purpose of this Act is to propose amendments to the
2 Constitution of the State of Hawaii to advance the State's goal
3 of providing 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 of the Constitution of the State of
7 Hawaii is amended by adding a new section to be appropriately
8 designated and to read as follows:

9 **"SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY**

10 **Section . Notwithstanding any provision of this**
11 **constitution to the contrary, including Section 3 of Article**
12 **VIII, the State shall not be prohibited from establishing a**
13 **surcharge on residential investment property pursuant to Section**
14 **1 of Article X."**

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

17 **"PUBLIC EDUCATION**

18 **Section 1.** The State shall provide for the establishment,
19 support and control of a statewide system of public schools free
20 from sectarian control, a state university, public libraries and
21 such other educational institutions as may be deemed desirable,



1 including physical facilities therefor. There shall be no
2 discrimination in public educational institutions because of
3 race, religion, sex or ancestry; nor shall public funds be
4 appropriated for the support or benefit of any sectarian or
5 nonsectarian private educational institution, except that
6 proceeds of special purpose revenue bonds authorized or issued
7 under section 12 of Article VII may be appropriated to finance
8 or assist:

9 1. Not-for-profit corporations that provide early
10 childhood education and care facilities serving the general
11 public; and

12 2. Not-for-profit private nonsectarian and sectarian
13 elementary schools, secondary schools, colleges and
14 universities.

15 The legislature may establish, as provided by law, a
16 surcharge on residential investment property and visitor
17 accommodations to fund public education for all of Hawaii's
18 children."

19 SECTION 4. The question to be printed on the ballot shall
20 be as follows:



1 "Shall the legislature be authorized to establish, as
2 provided by law, a surcharge on residential investment
3 property and visitor accommodations to fund a public
4 education for all of Hawaii's children?"

5 SECTION 5. New constitutional material is underscored.

6 SECTION 6. This amendment shall take effect upon
7 compliance with article XVII, section 3, of the Constitution of
8 the State of Hawaii.



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 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 HD2)

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