A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLES VIII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE TO INCREASE FUNDING FOR PUBLIC EDUCATION.

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

- 1 SECTION 1. The purpose of this Act is to propose
- 2 amendments to the Constitution of the State of Hawaii to
- 3 authorize the legislature to establish, as provided by law, a
- 4 surcharge on investment real property.
- 5 SECTION 2. Article VIII, section 3, of the Constitution of
- 6 the State of Hawaii is amended to read as follows:
- 7 "TAXATION AND FINANCE
- 8 Section 3. The taxing power shall be reserved to the
- 9 State, except so much thereof as may be delegated by the
- 10 legislature to the political subdivisions, and except that all
- 11 functions, powers and duties relating to the taxation of real
- 12 property shall be exercised exclusively by the counties, with
- 13 the exception of the county of Kalawao[-]; provided that the
- 14 legislature may establish, as provided by law, a surcharge on
- 15 investment real property. The legislature shall have the power



- 1 to apportion state revenues among the several political
- 2 subdivisions."
- 3 SECTION 3. Article X, section 1, of the Constitution of
- 4 the State of Hawaii is amended to read as follows:
- 5 "PUBLIC EDUCATION
- 6 Section 1. The State shall provide for the establishment,
- 7 support and control of a statewide system of public schools free
- 8 from sectarian control, a state university, public libraries and
- 9 such other educational institutions as may be deemed desirable,
- 10 including physical facilities therefor. There shall be no
- 11 discrimination in public educational institutions because of
- 12 race, religion, sex or ancestry; nor shall public funds be
- 13 appropriated for the support or benefit of any sectarian or
- 14 nonsectarian private educational institution, except that
- 15 proceeds of special purpose revenue bonds authorized or issued
- 16 under section 12 of Article VII may be appropriated to finance
- 17 or assist:
- 1. Not-for-profit corporations that provide early
- 19 childhood education and care facilities serving the general
- 20 public; and

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- 1 2. Not-for-profit private nonsectarian and sectarian
- 2 elementary schools, secondary schools, colleges and
- 3 universities.
- 4 Funding of public education shall be determined by the
- 5 legislature; provided that revenues derived from a surcharge on
- 6 investment real property pursuant to section 3 of article VIII
- 7 shall be used to support public education."
- 8 SECTION 4. The question to be printed on the ballot shall
- 9 be as follows:
- 10 "Shall the legislature be authorized to establish, as
- 11 provided by law, a surcharge on investment real property to
- be used to support public education?"
- 13 SECTION 5. Constitutional material to be repealed is
- 14 bracketed and stricken. New constitutional material is
- 15 underscored.
- 16 SECTION 6. This amendment shall take effect upon
- 17 compliance with article XVII, section 3, of the Constitution of
- 18 the State of Hawaii.

Report Title:

Public Education; Investment Real Property; Surcharge; Constitutional Amendment

Description:

Proposes amendments to the Constitution of the State of Hawaii to authorize the Legislature to establish, as provided by law, a surcharge on investment real property to support public education. (SB2922 HD1)

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