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# A BILL FOR AN ACT

RELATING TO THE USE OF PUBLIC LANDS.

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

1           SECTION 1. The legislature finds that requiring the school  
2 facilities authority to consult with the department of education  
3 ensures that any decision to transfer or lease state lands to  
4 the school facilities authority reflects a collaborative process  
5 with the overseeing department. This consultation requirement  
6 further ensures that any transfer or lease agreement aligns with  
7 the department of education's operational goals and long-term  
8 strategic planning. Incorporating this consultation requirement  
9 further ensures a more transparent and balanced approach to land  
10 management for public benefit.

11           The legislature further finds that, by requiring the school  
12 facilities authority to consult with the department of education  
13 and other impacted departments or agencies before initiating or  
14 requesting any land transfers, the department of education or  
15 other impacted department or agency, as the entity most familiar  
16 with the land use and requirements under its jurisdiction, will  
17 have the opportunity to fully assess the impacts of transferring



1 control and ownership. The department of education's or other  
2 impacted department's or agency's assessment can then be shared  
3 with the school facilities authority for consideration. The  
4 requirement for the school facilities authority to consult with  
5 the department of education will prevent any unintentional  
6 disruption of the department's exclusive and primary mission to  
7 provide student learning and achievement.

8 The purpose of this Act is to promote a practical,  
9 balanced, and cooperative approach to state land management by:

10 (1) Requiring the school facilities authority to consult  
11 with the department of education or other impacted  
12 department or agency before any transfer or lease of  
13 land or property owned or occupied by the impacted  
14 department or agency to the school facilities  
15 authority; and

16 (2) Repealing the requirement that the department of  
17 education transfer title to lands it holds upon  
18 request of the school facilities authority.

19 This Act ensures that the school facilities authority's  
20 land use decisions align with the transferring agency's  
21 operational and strategic goals.



1 SECTION 2. Section 302A-1705, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) If state lands, other than public lands, under the  
4 control and management of another department or agency, are  
5 ~~[required]~~ identified by the authority for purposes of this  
6 chapter, the authority shall consult with the department or  
7 agency having control and management of the ~~[required]~~  
8 identified lands, ~~[upon a request by the authority]~~ and, with  
9 the approval of the governor, the impacted department or agency  
10 shall convey title or lease those identified lands, or an agreed  
11 upon portion thereof, to the authority upon terms and conditions  
12 as may be agreed to by the ~~[parties; provided that at the~~  
13 ~~request of the authority, the department shall transfer any land~~  
14 ~~to which it holds title to the authority.]~~ impacted department  
15 or agency."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

DOE; SFA; Public Lands Transfer

**Description:**

Requires the School Facilities Authority to consult with the Department of Education and other impacted departments or agencies before the conveyance of ownership rights or lease of lands to the School Facilities Authority. Repeals the requirement that the Department of Education transfer title to lands it holds upon request of the School Facilities Authority. Effective 7/1/3000. (HD3)

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

