

A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL LAND TRANSFER.

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

1 PART I

2 SECTION 1. Act 307, Session Laws of Hawaii 2022, directed
3 the conveyance of the fee simple title to certain lands owned by
4 the department of land and natural resources, county of Kauai,
5 and county of Maui, to the department of education. Since that
6 time, further verification of information and changes in
7 circumstances require the revision of tax map key numbers
8 provided in Act 307, Session Laws of Hawaii 2022.

9 Accordingly, the purpose of this part is to revise certain
10 tax map key numbers set forth in section 2 of Act 307, Session
11 Laws of Hawaii 2022, for accuracy or changed circumstances.

12 SECTION 2. Act 307, Session Laws of Hawaii 2022, is
13 amended by amending section 2 to read as follows:

14 "SECTION 2. (a) Notwithstanding any other law to the
15 contrary, the fee simple interest to the parcels of land set
16 forth in this section, together with the existing improvements
17 thereon, but not including submerged land, accreted land, or any



1 land makai of the legal shoreline (collectively, the
2 properties), shall be conveyed by their respective owner or
3 owners to the department of education as grantee, as is, where
4 is. The department of education shall accept the properties in
5 their existing condition. All claims and liabilities against
6 the grantors, if any, that the department of education has, may
7 have had, or may have in the future, regarding any injury, loss,
8 cost, damage, or liability, including reasonable attorney's
9 fees, concerning the physical, environmental, soil, economic,
10 and legal conditions of the properties, shall be released,
11 waived, and extinguished.

12 (b) The transfer of a property pursuant to this Act shall
13 be effective by operation of law as of July 1, 2022. The
14 respective owner or owners of the properties shall prepare,
15 execute, and record, in the ~~land court or bureau of~~
16 ~~conveyances,~~ office of the assistant registrar of the land
17 court of the State of Hawaii or the State of Hawaii bureau of
18 conveyances, as appropriate, a quitclaim deed ~~[to convey each~~
19 ~~ef]~~ or other conveyance instrument to evidence and formally
20 document the conveyance of each of the properties together with
21 all existing improvements. [Work to initiate the conveyance of



1 ~~the properties shall commence no later than December 31, 2022.~~
2 ~~As an alternative to conveyance instruments for each parcel of~~
3 ~~state or county owned land, the transfer of such lands shall be~~
4 ~~completed by operation of law.] Where applicable and in the~~
5 ~~discretion of the department of education, the department of~~
6 ~~education may elect to obtain all or a portion of each parcel~~
7 ~~identified by this Act. If the department of education elects~~
8 ~~to obtain a portion or portions of any parcel identified by this~~
9 ~~Act, then the parties to the conveyance shall take all actions~~
10 ~~necessary to legally effect the same.~~

11 (c) As these are conveyances in which the county and the
12 State and its agencies are the only parties, the tax imposed by
13 section 247-1, Hawaii Revised Statutes, shall not apply.

14 (d) Effective ~~[on the date of transfer,]~~ beginning July 1,
15 2022, every reference to the titleholder of the properties shall
16 be construed as a reference to the department of education~~[.]~~
17 irrespective of whether a quitclaim deed or other conveyance
18 document has been recorded in the office of the assistant
19 registrar of the land court of the State of Hawaii or the bureau
20 of conveyances.



3 (1) (4) 2-1-001:009 (Eleale elementary school);

4 (2) (4) 5-2-009:006 (Kilauea elementary school);

5 (3) (4) 1-6-010:010 (Waimea high school);

6 (4) (4) 1-6-009:023 (portion) (Waimea high school); and

7 (5) (4) 3-6-002:010 (Wilcox elementary school).

8 (f) Parcels to be conveyed by the county of Maui,

9 identified by tax map key number, are as follows:

10 ~~[+1) - (4) 4-8-005:001 (Anahola school);~~

11 (2)] (1) (2) 3-8-007:004 (Baldwin high school);

12 [(3) (2) 3-8 007:080 (Baldwin high school);

13 (4) (2) 3-8-007:047 (Baldwin high school);

14 (5-)] (2) (2) 2-7-008:097 (Haiku elementary school);

15 [(6) (2) 2-7-004:029 (Haiku elementary school);

16 (7) (2) 2 7 004:004 (Haiku elementary school);

17 (8) (2) 1 3 006:007 (Hana high school);

18 (9) (3) (2) 3-4-009:003 (Iao intermediate school);

19 [+] (4) (2) 3-8-007:041 (portion) (Kahului elementary
20 school);

21 (11) (2) 4 6 002:013 (Kamehameha III elementary school);



12 (g) Parcels to be conveyed by the department of land and
13 natural resources or the State, as the case may be, identified
14 by tax map key number, are as follows: .

15 (1) (1)4-7-060:030 (Ahuimanu elementary school);
16 (2) (1)9-9-005:004 (Aiea elementary school);
17 (3) (1)9-9-005:001 (portion) (Aiea intermediate school);
18 (4) (1)2-7-036:007 (Ala Wai elementary school);
19 (5) (1)1-1-010:041 (Aliamanu elementary school);
20 (6) (1)3-3-003:019 (Aliiolani elementary school);
21 (7) (1)3-4-004:049 (portion) (Anuenue school);



1 [+(8)] (1) 3-4-004:049 (portion) ~~(Anuenue school)~~;

2 [+(9)] (8) (1) 3-4-004:002 (Anuenue school);

3 [+(10)] (9) (1) 9-4-059:072 (August Ahrens elementary school);

4 [+(11)] (10) (1) 9-4-059:074 (August Ahrens elementary

5 school);

6 [+(12)] (1) 9-1-013:003 ~~(Barbers Point elementary school)~~;

7 [+(13)] (11) (1) 7-4-017:002; (1) 7-4-022:050; and [+(1) 7-4-

8 ~~002:049~~] (1) 7-4-022:049 (central district office

9 Wahiaawa);

10 [+(14)] (12) (2) 2-2-002:081 (Kihei high school);

11 [+(15)] (13) (1) 2-1-009:001 (Keelikolani middle school);

12 [+(16)] (14) (1) 2-1-005:002 (Keelikolani middle school);

13 [+(17)] (15) (3) 2-5-008:013 (DeSilva elementary school);

14 [+(18)] (16) (4) 2-1-001:006 (Eleele elementary school);

15 [+(19)] (17) (1) 9-1-163:010 (Ewa elementary school);

16 [+(20)] (18) (1) 9-1-069:027 (Ewa Makai middle school);

17 [+(21)] (19) (1) 1-6-003:083 (Farrington high school);

18 [+(22)] (20) (1) 1-6-003:047 (Farrington high school);

19 [+(23)] (21) (1) 1-3-001:058 (Fern elementary school);

20 [+(24)] (22) (3) 2-6-020:038 (Haaheo elementary school);

21 [+(25)] (23) (2) 2-7-008:098 (Haiku elementary school);





1 [+(43)] (41) (3) 4-5-010:076 (portion) (Honokaa elementary
2 school);

3 [+(44)] (42) (3) 4-5-010:076 (portion) (Honokaa high and
4 intermediate school);

5 [+(45)] (43) (3) 4-5-012:021 (Honokaa high and intermediate
6 school);

7 [+(46)] (44) (3) 4-5-012:025 (Honokaa high and intermediate
8 school);

9 [+(47)] (45) (3) 4-5-003:020 (Honokaa high and intermediate
10 school);

11 [+(48)] (46) (3) 4-5-005:002 (Honokaa high and intermediate
12 school);

13 [+(49)] (47) (1) 9-1-017:160 (Honouliuli middle school);

14 [+(50)] (48) (1) 9-4-053:117 (Honowai elementary school);

15 [+(51)] (49) (1) 9-1-160:024 (Hookele elementary school);

16 [+(52)] (50) (1) 9-1-158:062 (Hookele elementary school);

17 [+(53)] (51) (3) 8-6-010:009 (portion) (Hookena elementary
18 school);

19 [+(54)] (52) (2) 3-4-009:004 (Iao intermediate school);

20 [+(55)] (53) (1) 7-7-001:003 (Inouye elementary school);

21 [+(56)] (54) (1) 3-4-007:009 (Jarrett middle school);



1 [+(57)] (55) (1) 2-6-029:002 (Jefferson elementary school);
2 [+(58)] (56) (1) 2-6-028:005 (Jefferson elementary school);
3 [+(59)] (57) (1) 5-1-002:018 (Kaaawa elementary school);
4 [+(60)] (58) (1) 2-4-012:001 (Kaahumanu elementary school);
5 [+(61)] (59) (1) 4-2-090:074 (Kaelepulu elementary school);
6 [+(62)] (60) (3) 7-5-020:077 (Kahakai elementary school);
7 [+(63)] (61) (3) 7-5-020:079 (Kahakai elementary school);
8 [+(64)] (62) (1) 5-6-006:024 (Kahuku elementary school);
9 [+(65)] (63) (1) 5-6-006:003 (Kahuku high and intermediate
10 school);
11 [+(66)] (64) (1) 4-3-056:003 (Kailua elementary school);
12 [+(67)] (65) (1) 4-2-003:022 (Kailua high school);
13 [+(68)] (66) (1) 9-1-001:022 (Kaimiloa elementary school);
14 [+(69)] (67) (1) 2-7-024:001 (Kaimuki high school);
15 [+(70)] (68) (1) 2-7-024:003 (Kaimuki high school);
16 [+(71)] (69) (1) 1-5-005:016 (Kaiulani elementary school);
17 [+(72)] (70) (4) 2-3-002:005 (Kalaheo elementary school);
18 [+(73)] (71) (1) 4-4-034:029 (Kalaheo high school);
19 [+(74)] (72) (1) 4-4-034:028 (Kalaheo high school);
20 [+(75)] (73) (1) 1-5-025:001 (Kalakaua middle school);
21 [+(76)] (74) (1) 1-5-024:029 (Kalakaua middle school);





1 ~~[+93]~~ (90) (4) 4-3-003:020 (Kapaa middle school);

2 ~~[+94]~~ (91) (3) 2-2-020:001 (Kapiolani elementary school);

3 ~~[+95]~~ (92) (1) 9-1-016:040 (Kapolei elementary school);

4 ~~[+96]~~ (93) (1) 9-1-016:074 (Kapolei high school);

5 ~~[+97]~~ (94) (1) 9-1-016:082 (Kapolei middle school);

6 ~~[+98]~~ (95) (3) 9-6-005:039 (Kau high and Pahala elementary school);

7

8 ~~[+99]~~ (96) (3) 9-6-005:008 (Kau high and Pahala elementary school);

9

10 ~~[+100]~~ (97) (4) 3-2-005:010 (Kauai high school);

11 ~~[+101]~~ (98) (4) 3-3-003:009 (Kauai high school);

12 ~~[+102]~~ (99) (4) 3-2-005:011 (Kauai high school);

13 ~~[+103]~~ (100) (4) 3-3-003:015 (Kauai high school);

14 ~~[+104]~~ (101) (4) 3-3-003:007 (Kauai high school);

15 ~~[+105]~~ (102) (1) 1-7-023:041 (Kauluwela elementary school);

16 ~~[+106]~~ (103) (3) 2-5-005:084 (Kaumana elementary school);

17 ~~[+107]~~ (104) (4) 3-7-003:006 (Kaumualii elementary school);

18 ~~[+108]~~ (105) (1) 2-2-009:013 (Kawanakanakoa middle school);

19 ~~[+109]~~ (106) (3) 1-6-003:102 (Keaau elementary school);

20 ~~[+110]~~ (107) (3) 1-6-003:110 (Keaau high school);

21 ~~[+111]~~ (108) (3) 1-6-003:111 (Keaau high school);



1 [~~112~~] (109) (3) 1-6-003:112 (Keaau high school);

2 [~~113~~] (110) (3) 1-6-003:059 (Keaau middle school);

3 [~~114~~] (111) (3) 1-6-002:001 (Keaau middle school);

4 [~~115~~] (112) (3) 7-4-019:044 (portion) (Kealakehe elementary
5 school);

6 [~~116~~] (113) (3) 7-4-021:004 (Kealakehe high school);

7 [~~117~~] (114) (3) 7-4-019:044 (portion) (Kealakehe intermediate
8 school);

9 [~~118~~] (115) (2) 1-1-008:020 (Keanae elementary);

10 [~~119~~] (116) (4) 1-3-002:001 (Kekaha elementary school);

11 [~~120~~] (117) (2) 2-3-007:032 (Kekaulike high school);

12 [~~121~~] (118) (3) 1-5-009:059 (Keonepoko elementary school);

13 [~~122~~] (119) (1) 9-1-012:060 (Keoneula elementary school);

14 [~~123~~] (120) (2) 2-2-002:043 (portion) (Kihei elementary
15 school);

16 [~~124~~] (121) (4) 5-2-009:048 (Kilauea elementary school);

17 [~~125~~] (122) (2) 5-6-002:008 (Kilohana elementary school);

18 [~~126~~] (123) (1) 9-5-021:001 (Kipapa elementary school);

19 [~~127~~] (124) (3) 5-5-008:024 (portion) (Kohala elementary
20 school);



1 [-(128)] (125) (3) 5-4-007:014 (portion) (Kohala elementary
2 school);

3 [-(129)] (126) (3) 5-4-007:008 (Kohala high school);

4 [-(130)] (127) (3) 5-4-008:021 (Kohala high school);

5 [-(131)] (128) (3) 5-5-008:024 (Kohala high school);

6 [-(132)] (129) (3) 5-4-007:014 (portion) (Kohala high school);

7 [-(133)] (130) (3) 5-3-010:056 (Kohala middle school);

8 [-(134)] (131) (4) 2-8-010:011 (Koloa elementary school);

9 [-(135)] (132) (3) 8-1-004:058 (Konawaena elementary school);

10 [-(136)] (133) (3) 8-1-005:011 (Konawaena high school);

11 [-(137)] (134) (3) 8-1-005:013 (Konawaena high school);

12 [-(138)] (135) (3) 8-1-002:038 (portion) (Konawaena high
13 school);

14 [-(139)] (136) (3) 8-1-002:038 (portion) (Konawaena middle
15 school);

16 [-(140)] (137) (1) 2-7-017:029 (Kuhio elementary school);

17 [-(141)] (138) (1) 2-7-027:022 (Kuhio elementary school);

18 [-(142)] (139) (2) 4-6-018:013 (portion) (Lahaina intermediate
19 school);

20 [-(143)] (140) (2) 4-5-034:035 (Lahaina intermediate school);

21 [-(144)] (141) (2) 4-6-018:005 (Lahainaluna high school);



- 1 [+(145)] (142) (2) 4-6-018:007 (Lahainaluna high school);
- 2 [+(146)] (143) (2) 4-6-018:012 (Lahainaluna high school);
- 3 [+(147)] (144) (1) 5-5-015:033 (Laie elementary school);
- 4 [+(148)] (145) (2) 4-9-014:003 (Lanai high and elementary school);
- 5
- 6 [+(149)] (146) (2) 4-9-014:004 (Lanai high and elementary school);
- 7
- 8 [+(150)] (147) (1) 1-7-042:001 (Lanakila elementary school);
- 9 [+(151)] (148) (3) 3-5-005:001 (Laupahoehoe community - public charter school);
- 10
- 11 [+(152)] (149) (3) 3-5-004:059 (Laupahoehoe community - public charter school);
- 12
- 13 [+(153)] (150) (3) 3-5-004:026 (Laupahoehoe community - public charter school);
- 14
- 15 [+(154)] (151) (1) 8-6-001:054 (Leihoku elementary school);
- 16 [+(155)] (152) (1) 1-6-008:021 (Likelihe elementary school);
- 17 [+(156)] (153) (1) 1-6-008:023 (Likelihe elementary school);
- 18 [+(157)] (154) (1) 9-1-017:108 (department of education);
- 19 [+(158)] (155) (1) 2-4-033:013 (Lincoln elementary school);
- 20 [+(159)] (156) (2) 2-2-002:043 (portion) (Lokelani intermediate school);
- 21



- 1 [+(160)] (157) (1) 2-3-030:052 (Lunalilo elementary school);
- 2 [+(161)] (158) (1) 1-8-005:008 (Maemae elementary school);
- 3 [+(162)] (159) (1) 1-8-005:012 (Maemae elementary school);
- 4 [+(163)] (160) (1) 9-2-009:082 (Makakilo elementary school);
- 5 [+(164)] (161) (1) 9-9-075:028 (Makalapa elementary school);
- 6 [+(165)] (162) (2) 2-4-005:010 (Makawao elementary school);
- 7 [+(166)] (163) (1) 9-7-068:005 (Manana elementary school);
- 8 [+(167)] (164) (2) 3-8-007:098 (Maui high school);
- 9 [+(168)] (165) (2) 3-8-007:002 (Maui Waena intermediate school);
- 10 [+(169)] (166) (1) 9-2-019:022 (Mauka Lani elementary school);
- 11 [+(170)] (167) (1) 4-2-043:001 (Maunawili elementary school);
- 12 [+(171)] (168) (1) 2-3-009:001 (McKinley high school);
- 13 [+(172)] ~~(reserved)~~;
- 14 [+(173)] ~~(reserved)~~;
- 15 [+(174)] (169) (1) 9-5-001:054 (Mililani high school);
- 16 [+(175)] (170) (1) 9-5-001:055 (Mililani high school);
- 17 [+(176)] (171) (1) 9-5-002:046 (Mililani Ike elementary school);
- 18 [+(177)] (172) (1) 9-5-049:006 (Mililani Mauka elementary school);
- 19 [+(178)] (173) (1) 9-5-002:040 (Mililani middle school);
- 20 [+(179)] ~~(reserved)~~;





1 [-(194)] (188) (3)4-3-003:032 (Paauilo elementary and
2 intermediate school);

3 [-(195)] (189) (3)4-3-003:024 (Paauilo elementary and
4 intermediate school);

5 [-(196)] (190) (3)1-5-114:025 (Pahoa elementary school);

6 [-(197)] (191) (3)1-5-114:002 (Pahoa elementary school);

7 [-(198)] (192) (3)1-5-114:026 (Pahoa high and intermediate
8 school);

9 [-(199)] (193) (3)1-5-003:038 (Pahoa high and intermediate
10 school);

11 [-(200)] (194) (2)2-5-005:004 (Paia elementary school);

12 [-(201)] (195) (1)3-4-002:002 (Palolo elementary school);

13 [-(202)] (196) (1)4-5-017:001 (Parker elementary school);

14 [-(203)] (197) (1)9-7-025:004 (portion) (Pearl City high
15 school);

16 [-(204)] ~~(reserved)~~;

17 [-(205)] (198) (1)9-9-001:012 (Pearl Harbor Kai elementary
18 school);

19 [-(206)] (199) (1)9-8-013:028 (Pearl Ridge elementary school);

20 [-(207)] (200) (2)3-8-007:156 (Pomaikai elementary school);

21 [-(208)] (201) (1)4-1-031:041 (Pope elementary school);



- 1 [~~(209)~~] (202) (1) 4-1-031:040 (Pope elementary school);
- 2 [~~(210)~~] (203) (2) 3-5-001:103 (Puu Kukui elementary school);
- 3 [~~(211)~~] (204) (2) 3-8-006:008 (Puunene school);
- 4 [~~(212)~~] (205) (1) 9-9-071:053 (Radford high school);
- 5 [~~(213)~~] (206) (1) 1-1-012:028 (Red Hill elementary school);
- 6 [~~(214)~~] (207) (1) 2-4-032:001 (Roosevelt high school);
- 7 [~~(215)~~] (208) (1) 2-1-020:001 (Royal elementary school);
- 8 [~~(216)~~] (209) (1) 1-1-063:013 (Salt Lake elementary school);
- 9 (210) (1) 3-2-006:028 (school food services);
- 10 [~~(217)~~] (211) (1) 1-1-008:008 (Shafter elementary school);
- 11 [~~(218)~~] (212) (1) 2-4-033:013 (Stevenson middle school);
- 12 [~~(219)~~] (213) (1) 5-9-005:018 (Sunset Beach elementary school);
- 13 [~~(220)~~] (214) (3) 1-9-004:019 (Volcano school of arts and
- 14 sciences);
- 15 [~~(221)~~] (215) (1) 7-6-001:003 (Wahiawa middle school);
- 16 [~~(222)~~] (216) (1) 7-6-001:004 (Wahiawa middle school);
- 17 [~~(223)~~] (217) (1) 4-8-009:010 (Waiahole elementary school);
- 18 [~~(224)~~] (218) (3) 2-4-001:015 (portion) (Waiakea elementary
- 19 school);
- 20 [~~(225)~~] (219) (3) 2-4-001:015 (portion) (Waiakea high school);



1 [+(226)] (220) (3)2-4-001:015 (portion) (Waiakea intermediate
2 school);

3 [+(227)] (221) (3)2-2-042:017 (Waiakeawaena elementary school);

4 [+(228)] (222) (3)2-2-042:007 (Waiakeawaena elementary school);

5 [+(229)] (223) (1)6-7-002:009 (Waialua high and intermediate
6 school);

7 [+(230)] (224) (1)6-7-002:030 (Waialua high and intermediate
8 school);

9 [+(231)] (225) (1)6-7-002:029 (Waialua high and intermediate
10 school);

11 [+(232)] (226) (1)8-5-009:018 (Waianae elementary school);

12 [+(233)] (227) (1)8-5-002:018 (Waianae high school);

13 [+(234)] (228) (1)8-5-028:042 (Waianae intermediate school);

14 [+(235)] (229) (1)9-8-050:071 (Waiau elementary school);

15 [+(236)] (230) (2)3-2-007:021 (Waihee elementary school);

16 [+(237)] (231) (1)9-4-007:069 (Waikele elementary school);

17 [+(238)] (232) (1)9-4-007:068 (Waikele elementary school);

18 [+(239)] (233) (3)6-8-002:038 (Waikoloa school);

19 [+(240)] (234) (2)3-4-007:001 (Wailuku elementary school);

20 [+(241)] (235) (2)3-4-007:020 (Wailuku elementary school);

21 [+(242)] (reserved);



PART II

19 SECTION 3. The purpose of this part is to revise the
20 process by which properties were, or may in the future, be

1 conveyed to the department of education pursuant to Act 307,
2 Session Laws of Hawaii 2022.

3 SECTION 4. Section 302A-1148, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) All public school buildings, facilities, and grounds
6 shall be available for general recreational purposes, and for
7 public and community use, whenever these activities do not
8 interfere with the normal and usual activities of the school and
9 its pupils. Any other law to the contrary notwithstanding, the
10 department shall adopt rules under chapter 91 as are deemed
11 necessary to carry out the purposes of this section and may
12 issue licenses, revocable permits, concessions, or rights of
13 entry to school buildings and grounds for [such] periods of use
14 as deemed appropriate by the department. [All such
15 dispositions, including those in excess of fourteen days, need
16 not be approved by the board of land and natural resources;
17 provided that approval by the board of land and natural
18 resources shall be required when the dispositions are for
19 periods in excess of a year.] The department may assess and
20 collect fees and charges from the users of school buildings,
21 facilities, grounds, and equipment, which include fees and



1 charges assessed and collected by the department for parking on
2 roadways and in parking areas under the jurisdiction of the
3 department, pursuant to section 302A-1151.6. The fees and
4 charges shall be deposited into a separate fund and expended by
5 the department under rules as may be adopted by the board;
6 provided that any parking fees assessed and collected by a
7 school shall be deposited to the credit of that school's
8 nonappropriated local school fund account."

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.

12

INTRODUCED BY:



S.B. NO. 2613

Report Title:

DOE; BLNR; Department of Land and Natural Resources; Public Schools; Land Transfer

Description:

Revises tax map key numbers and the conveyance process by which identified properties are conveyed to the Department of Education pursuant to Act 307, Session Laws of Hawaii 2022. Clarifies that land dispositions of school buildings, facilities, and grounds made by the DOE shall not require approval from the Board of Land and Natural Resources when these dispositions are for periods exceeding one year.

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

