
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 attorneys' fees, concerning the physical, environmental, soil,
10 economic, and legal conditions of the properties, shall be
11 released, 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 bureau of conveyances, as
18 appropriate, a quitclaim deed [~~to convey each of~~] or other
19 conveyance instrument to evidence and formally document the
20 conveyance of each of the properties together with all existing
21 improvements. [~~Work to initiate the conveyance of the~~



1 ~~properties shall commence no later than December 31, 2022. As~~
2 ~~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,~~] July 1, 2022,
15 every reference to the titleholder of the properties shall be
16 construed as a reference to the department of education[~~]~~
17 irrespective of whether a quitclaim deed or other conveyance
18 instrument 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.



- 1 (e) Parcels to be conveyed by the county of Kauai,
 2 identified by tax map key number, are as follows:
- 3 (1) (4)2-1-001:009 (Eleele elementary school);
 4 (2) (4)5-2-009:006 (Kilauea elementary school);
 5 (3) (4)1-6-010:010 (Waimea high school); and
 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 [~~(10)] (4) (2)3-8-007:041 (portion) (Kahului elementary~~
 20 school);
 21 [~~(11) (2)4-6-002:013 (Kamehameha III elementary school);~~



- 1 ~~(12)~~ (5) (2)5-3-002:052 (Kaunakakai elementary school);
- 2 [~~(13)~~] (6) (2)5-2-013:027 (Kualapuu elementary school -
- 3 public charter school);
- 4 [~~(14)~~] (7) (2)2-2-014:002 (Kula elementary school);
- 5 [~~(15)~~] (8) (2)3-8-030:009 (Lihikai elementary school);
- 6 [~~(16)~~] (9) (2)2-3-009:035 (portion) (Pukalani elementary
- 7 school);
- 8 [~~(17)~~] ~~(2)3-8-006:008 (Puunene school);~~
- 9 ~~(18)~~ ~~(1)3-2-006:028 (school food services);~~
- 10 ~~(19)~~ (10) (2)3-4-007:049 (Wailuku elementary school); and
- 11 [~~(20)~~] (11) (2)3-4-007:003 (Wailuku 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 ~~[(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
5 school);
- 6 ~~(149)~~ (146) (2)4-9-014:004 (Lanai high and elementary
7 school);
- 8 ~~(150)~~ (147) (1)1-7-042:001 (Lanakila elementary school);
- 9 ~~(151)~~ (148) (3)3-5-005:001 (Laupahoehoe community - public
10 charter school);
- 11 ~~(152)~~ (149) (3)3-5-004:059 (Laupahoehoe community - public
12 charter school);
- 13 ~~(153)~~ (150) (3)3-5-004:026 (Laupahoehoe community - public
14 charter school);
- 15 ~~(154)~~ (151) (1)8-6-001:054 (Leihoku elementary school);
- 16 ~~(155)~~ (152) (1)1-6-008:021 (Likelike elementary school);
- 17 ~~(156)~~ (153) (1)1-6-008:023 (Likelike 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
21 school);



- 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
 19 school);
- 20 ~~[(178)]~~ (173) (1)9-5-002:040 (Mililani middle school);
- 21 ~~[(179)]~~ ~~(reserved);~~



- 1 ~~(180)~~ (174) (1)9-4-005:047 (Mililani Uka elementary school);
- 2 ~~(181)~~ (175) (1)9-5-001:039 (Mililani Waena elementary
- 3 school);
- 4 ~~(182)~~ (176) (1)1-1-063:011 (Moanalua high school);
- 5 ~~(183)~~ (177) (2)5-2-015:001 (portion) (Molokai high school);
- 6 ~~(184)~~ (178) (2)5-2-007:001 (Molokai high school);
- 7 ~~(185)~~ (179) (2)5-2-015:001 (portion) (Molokai middle
- 8 school);
- 9 ~~(186)~~ (180) (1)9-7-025:004 (portion) (Momilani elementary
- 10 school);
- 11 ~~(187)~~ (181) (3)1-8-001:007 (Mountain View elementary
- 12 school);
- 13 ~~(188)~~ (182) (3)9-5-009:006 (Naalehu elementary school);
- 14 ~~(189)~~ (183) (2)4-6-018:013 (portion) (Nahienaena elementary
- 15 school);
- 16 ~~(190)~~ (184) (1)8-9-002:065 (Nanaikapono elementary school);
- 17 ~~(191)~~ (185) (1)8-9-007:009 (portion) (Nanakuli elementary
- 18 school);
- 19 ~~(192)~~ (186) (1)8-9-007:009 (portion) (Nanakuli high and
- 20 intermediate school);
- 21 ~~(193)~~ (187) (4)4-2-006:002 (portion) (Olomana school);



- 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)~~;



1 ~~(243)~~ (236) (1)4-1-009:012 (portion) (Waimanalo elementary
 2 and intermediate school);
 3 ~~(244)~~ (237) (4)1-2-006:033 (Waimea Canyon school);
 4 ~~(245)~~ (238) (3)6-7-002:015 (portion) (Waimea elementary
 5 school);
 6 ~~(246)~~ (239) (4)1-6-010:004 (Waimea high school);
 7 ~~(247)~~ (240) (3)6-7-002:015 (portion) (Waimea middle school -
 8 public charter school);
 9 ~~(248)~~ (241) (1)9-4-010:040 (Waipahu elementary school);
 10 ~~(249)~~ (242) [~~(1)9-4-008-025~~] (1)9-4-008:025 (Waipahu high
 11 school);
 12 ~~(250)~~ (243) (1)9-4-001:030 (Waipahu intermediate school);
 13 ~~(251)~~ (244) (1)9-9-005:001 (portion) (Webling elementary
 14 school);
 15 ~~(252)~~ (245) (1)7-7-001:002 (Wheeler elementary school);
 16 ~~(253)~~ (246) (1)7-7-001:002 (Wheeler middle school);
 17 ~~(254)~~ (247) (4)3-6-002:021 (Wilcox elementary school); and
 18 ~~(255)~~ (248) (4)3-6-002:022 (Wilcox elementary school)."
 19

PART II

20 SECTION 3. The department of education shall transfer fee
 21 simple title ownership of the parcel of land identified as the



1 following tax map key: (4)3-6-002:010 (Wilcox elementary school)
2 to the county of Kauai; provided that the county of Kauai shall
3 accept the property in its existing condition. All claims and
4 liabilities against the department of education, if any, that
5 the county of Kauai has, may have had, or may have in the
6 future, regarding any injury, loss, cost, damage, or liability,
7 including reasonable attorneys' fees, concerning the physical,
8 environmental, soil, economic, and legal conditions of the
9 properties, shall be released, waived, and extinguished;
10 provided further that as this is a conveyance in which the
11 county and the State and its agencies are the only parties, the
12 tax imposed by section 247-1, Hawaii Revised Statutes, shall not
13 apply.

14 SECTION 4. The city and county of Honolulu shall transfer
15 fee simple title ownership of the parcel of land identified as
16 the following parcel no: 320590020000 and tax map key (1)3-2-
17 059:002 (Kaimuki middle school) to the department of education;
18 provided that the department of education shall accept the
19 property in its existing condition. All claims and liabilities
20 against the city and county of Honolulu, if any, that the
21 department of education has, may have had, or may have in the



1 future, regarding any injury, loss, cost, damage, or liability,
2 including reasonable attorneys' fees, concerning the physical,
3 environmental, soil, economic, and legal conditions of the
4 properties, shall be released, waived, and extinguished;
5 provided further that as this is a conveyance in which the
6 county and the State and its agencies are the only parties, the
7 tax imposed by section 247-1, Hawaii Revised Statutes, shall not
8 apply.

9 PART III

10 SECTION 5. Section 302A-1148, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) All public school buildings, facilities, and grounds
13 shall be available for general recreational purposes, and for
14 public and community use, whenever these activities do not
15 interfere with the normal and usual activities of the school and
16 its pupils. Any other law to the contrary notwithstanding, the
17 department shall adopt rules under chapter 91 as are deemed
18 necessary to carry out the purposes of this section and may
19 issue licenses, revocable permits, concessions, or rights of
20 entry to school buildings and grounds for ~~such~~ periods of use
21 as deemed appropriate by the department. ~~[All such~~



1 ~~dispositions, including those in excess of fourteen days, need~~
2 ~~not be approved by the board of land and natural resources;~~
3 ~~provided that approval by the board of land and natural~~
4 ~~resources shall be required when the dispositions are for~~
5 ~~periods in excess of a year.]~~ The department may assess and
6 collect fees and charges from the users of school buildings,
7 facilities, grounds, and equipment, which include fees and
8 charges assessed and collected by the department for parking on
9 roadways and in parking areas under the jurisdiction of the
10 department, pursuant to section 302A-1151.6. The fees and
11 charges shall be deposited into a separate fund and expended by
12 the department under rules as may be adopted by the board;
13 provided that any parking fees assessed and collected by a
14 school shall be deposited to the credit of that school's
15 nonappropriated local school fund account."

16 PART IV

17 SECTION 6. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 7. This Act shall take effect upon its approval.



Report Title:

DOE; BLNR; Department of Land and Natural Resources; City and County of Honolulu; County of Kauai; 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, SLH 2022. Directs the conveyance to the County of Kauai of certain lands held by the Department of Education. Directs the conveyance of land on which Kaimuki Middle School is located from the City and County of Honolulu to the Department of Education. 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. (CD1)

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

