

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 2972  
H.D. 1  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 2972, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to establish a process to provide for the timely construction, expansion, consolidation, or closure of public schools in Hawaii.

More specifically, the measure:

- (1) Establishes the Facilities Alignment Commission to develop appropriate criteria and make recommendations for areas for new school construction or school expansion, consolidation, or closure;
- (2) Establishes school alignment selection criteria;
- (3) Establishes procedures for making recommendations for school alignment; and
- (4) Establishes procedures for hearings and final recommendations by the Facilities Alignment Commission.

Testimony in support of the measure was submitted by the Department of Budget and Finance and the Chamber of Commerce of



Hawaii. Testimony opposing the measure was received from the Department of Education.

Your Committee finds that changing demographics in Hawaii have left some public schools overburdened and others underused, thereby necessitating a need to revitalize school facilities statewide. Your Committee recognizes that public education tax dollars must be invested in a more efficient and effective manner, while also finding that school alignment decisions must be carefully examined and take into consideration the many interests involved, as well as the potential impacts on students, the community, the Department of Education, and the State as a whole.

Upon further consideration, your Committee has amended the measure by:

- (1) Narrowing the measure's scope to focus on only the consolidation or closure of underused public schools, rather than on their construction, expansion, consolidation, or closure;
- (2) Deleting certain duties of the Facilities Alignment Commission, including:
  - (a) Exploring funding mechanism alternatives for funds derived from the consolidation or closure of schools;
  - (b) Developing procedures or guidelines for executing memoranda of agreement or understanding; and
  - (c) Developing procedures or guidelines regarding boilerplate language associated with the sale or lease of certain school property;
- (3) Changing the deadline for the Department of Education's submission of a school facilities plan from December 31, 2008 to June 30, 2009;
- (4) Specifying the schools and complexes whose projected enrollment shall be used by the Department of Education to make an assessment for its school facilities plan;



- (5) Changing the deadline for the Commission's establishment of the school alignment selection criteria from December 31, 2008 to December 31, 2009;
- (6) Deleting the Facilities Alignment Commission's power to access records of the Department of Accounting and General Services;
- (7) Extending by one year the deadlines for submission of the Facilities Alignment Commission's preliminary and final recommendations; and
- (8) Changing the target date for implementation of the Commission's recommendations from the 2011-2012 school year to the 2012-2013 school year; and
- (9) Making technical, nonsubstantive changes for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2972, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2972, H.D. 1, S.D. 2.


Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
ROSALYN H. BAKER, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:	Committee Referral:	Date:		
<i>HB2972, HD1, SD1</i>	<i>FDU, WAM</i>	<i>3/27/08</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUYE, Lorraine R.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
WHALEN, Paul	/			
<b>TOTAL</b>	<i>11</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes