
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1

PART I

2 SECTION 1. The University of Hawaii's physical plant has
3 accumulated a backlog of repairs and maintenance due to the lack
4 of general funds. This project includes reroofing, mechanical,
5 and electrical systems, renovations, resurfacing, repainting,
6 and other improvements and project costs to upgrade facilities
7 at all university campuses.

8 Facilities provide the centerpiece around which all other
9 educational activities exist at higher education institutions.
10 The total replacement value of all University of Hawaii
11 facilities is estimated at \$3,000,000,000. Therefore, it is
12 imperative to reinvest in the university's physical plant to
13 ensure that the physical infrastructure facilitates the mission
14 of the institution.

15 The role of repair and maintenance is to maintain the
16 physical infrastructure and facilities of our campuses so that
17 they are functional, architecturally sound, aesthetically
18 pleasing, and in compliance with building and safety codes to



1 support quality instruction, research, student, and community
2 services programs.

3 The current backlog of repair and maintenance deficiencies
4 at the University of Hawaii totals \$257,000,000. The purpose of
5 this part is to reduce the backlog of repair and maintenance
6 projects at the University of Hawaii to a manageable level.
7 Each year an estimated \$50,000,000 of projects are added to the
8 repair and maintenance list. Repair and maintenance projects
9 can be funded entirely with general funds or through a
10 combination of general funds and bond funding.

11 The backlog of \$257,000,000 less \$75,000,000 totals
12 \$182,000,000. For a six-year plan this would reduce \$30,000,000
13 per year for this portion of the plan. In addition, sixty per
14 cent of the annual \$50,000,000 of added annual projects would be
15 \$30,000,000 of bonds to be augmented by \$20,000,000 of general
16 funds. For the bond portion only, this measure proposes adding
17 the first \$30,000,000 to the second \$30,000,000 for a total of
18 \$60,000,000.

19 SECTION 2. The director of finance is authorized to issue
20 general obligation bonds in the sum of \$60,000,000 or so much
21 thereof as may be necessary and the same sum or so much thereof
22 as may be necessary is appropriated for fiscal year 2008-2009



1 for the purpose of reducing the backlog of repair and
2 maintenance projects at the University of Hawaii system to
3 manageable levels; provided that a share of the funds shall be
4 allocated for the athletic facilities of the University of
5 Hawaii system, including Cooke Field athletic offices and locker
6 rooms and other top priorities of the athletics director and
7 football coach.

8 The sum appropriated shall be expended by the University of
9 Hawaii for the purposes of this part.

10 SECTION 3. The sum appropriated under this part shall be
11 in addition to any other funds that may be appropriated for the
12 same purposes of this part.

13 **PART II**

14 SECTION 4. The legislature finds that in 2007, emerging
15 creative media programs at the University of Hawaii academy for
16 creative media, Waianae high school, and within a broad range of
17 multidisciplinary programs like Project EAST on the neighbor
18 islands have achieved a specific level of achievement to
19 evaluate their performance in the context of what a globally-
20 integrated economy requires.

21 As pointed out by New York Times columnist Thomas Friedman
22 in an op-ed commentary endorsing the National Center on



1 Education and the Economy's report: "We need to radically
2 overhaul . . . an education system designed in the 1900's for
3 people to do 'routine work' and refocus it on producing people
4 who can imagine things that have never been available before,
5 who can create ingenious marketing and sales campaigns, write
6 books, build furniture, make movies and design software that
7 will capture people's imaginations and become indispensable for
8 millions" (December 13, 2006, *New York Times*).

9 Just as Waianae Searider Productions demonstrated the
10 transformational power of multi-media literacy to engage at-risk
11 students, and Project EAST students have distinguished
12 themselves in national competitions with their homegrown
13 science-technology and multimedia skills, Hawaii has the
14 opportunity to establish itself as a true "crossroads of the
15 Pacific" in the field of creative media.

16 The legislature further finds that since being approved by
17 the University of Hawaii board of regents three years ago, the
18 academy for creative media program is the fastest growing new
19 program at the University of Hawaii. For spring 2007, one
20 hundred seventy-six enrolled students, including sixty majors,
21 filled two hundred seventy-five seats in twenty of the thirty-
22 two new courses in film production, screenwriting, indigenous



1 filmmaking, computer animation, critical studies, and video game
2 design.

3 More than three hundred fifty original short films and
4 video games have been written, directed, and produced by
5 students that reflect their unique diversity and backgrounds.
6 Over forty-eight student films were screened at film festivals
7 from Atlanta to Shanghai, including the Hawaii International
8 Film Festival 2004-2006. Students are also offered internship
9 opportunities with major motion picture productions (*Superman*
10 *Returns*) and television shows (*LOST* and local morning news
11 shows), and have opportunities to showcase their work on local
12 television, such as commercials for Toyota/Scion of Hawaii,
13 which were entirely produced by students.

14 Since its inception, the academy for creative media program
15 has been responsible for raising and funding all of its own
16 operating expenses outside of faculty salaries and basic office
17 overhead. This has meant providing all of the funding for
18 hardware, software, computers, cameras, sound equipment, editing
19 equipment, etc. In its first three years, the academy for
20 creative media program raised over \$1,481,000 to support the
21 students and program.



1 The school also received gifts from generous donors and
2 supporters to build and install the school's animation render
3 farm, a bank of over fifty computers that efficiently converts,
4 assigns, and monitors animation projects. The system is
5 available for all campuses on all islands via the Internet and
6 is currently being used by the Manoa, Leeward, and Kapiolani
7 campuses, as well as Waianae Seariders Production. Additional
8 funds were also raised from the Kellogg Foundation to quadruple
9 the capacity of the animation render farm project to provide
10 system-wide animation computing power, via the Internet, to
11 digital media programs on all of the University of Hawaii
12 campuses and Hawaii public schools at all levels. Furthermore,
13 a \$500,000 federal grant was received for the school to produce
14 an original documentary on statehood, which is currently in
15 post-production.

16 In spite of its success, the academy for creative media
17 program is without a central facility or permanent home on any
18 campus and does not receive any funding for programmatic needs
19 outside of faculty salaries. Yet it contributes significantly
20 to economic development in the State and a first-rate University
21 of Hawaii system.



1 For these reasons, the legislature finds that the
2 establishment of an academy for creative media program within
3 the University of Hawaii is an issue of statewide concern. It
4 is an integral component of the State's development of a
5 creative media industry in Hawaii, and as such, the siting of
6 the academy for creative media program is the cornerstone of the
7 State's development of the Kapolei-west Oahu region as the hub
8 of Hawaii's creative media industry.

9 The purpose of this part is to enhance the role of the
10 academy for creative media program in developing the skilled
11 workforce to support digital media production sound stages,
12 post-production services, and related businesses in the west
13 Oahu region, as well as providing creative career and business
14 opportunities for students from throughout the State, by:

- 15 (1) Establishing the academy for creative media program at
16 the University of Hawaii and specifying its management
17 structure; and
- 18 (2) Amending Act 11, Special Session Laws of Hawaii 2007,
19 to delete provisions relating to leasing the Public
20 Broadcasting System Hawaii facility.



1 SECTION 5. Chapter 304A, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV, subpart M, to be
3 appropriately designated and to read as follows:

4 "§304A- Academy for creative media program; established.

5 (a) There is established within the University of Hawaii the
6 academy for creative media program, which shall have programs on
7 campuses statewide and be administered by the University of
8 Hawaii. The academy for creative media program shall offer
9 courses and confer degrees as deemed appropriate and as
10 authorized by the board, including certificate programs, and
11 associate, bachelor, master, and doctorate degrees. The mission
12 of the academy for creative media program shall be to emphasize
13 narrative or story telling, theories, skills, and application
14 across multiple platforms of digital media and within a context
15 of cultural and aesthetic values by empowering students to tell
16 their own stories of Hawai'i, the Pacific, and Asia, through a
17 unique program in indigenous filmmaking.

18 (b) The academy for creative media program shall
19 coordinate its offerings at University of Hawaii campuses
20 statewide and shall encourage and support mentor opportunities
21 at all school levels throughout the State."



1 SECTION 6. Act 11, Special Session Laws of Hawaii 2007, is
2 amended by amending part II to read as follows:

3 "PART II

4 SECTION 2. Since being approved by the University of
5 Hawaii board of regents three years ago, the academy for
6 creative media program at the University of Hawaii at Manoa is
7 the fastest growing new program at the University of Hawaii.
8 ~~[For spring 2007, with one hundred seventy six enrolled students~~
9 ~~(including sixty majors) who fill two hundred seventy five seats~~
10 ~~in twenty of the thirty two new courses in film production,~~
11 ~~screenwriting, indigenous filmmaking, computer animation,~~
12 ~~critical studies, and video game design. More than three~~
13 ~~hundred fifty original short films and video games have been~~
14 ~~written, directed, and produced by students that reflect their~~
15 ~~unique diversity and backgrounds. Over forty eight student~~
16 ~~films were screened at film festivals from Atlanta to Shanghai,~~
17 ~~including the Hawaii International Film Festival 2004-2006.~~
18 ~~Students are offered internship opportunities with major motion~~
19 ~~picture productions (Superman Returns) and television shows~~
20 ~~(LOST and local morning news shows), and have opportunities to~~
21 ~~showcase their work on local television, such as commercials for~~



1 ~~Toyota/Scion of Hawaii, which were entirely produced by~~
2 ~~students.~~

3 ~~Since its inception, the academy for creative media has~~
4 ~~been responsible for raising and funding all of its own~~
5 ~~operating expenses outside of faculty salaries and basic office~~
6 ~~overhead. This has meant providing all of the funding for~~
7 ~~hardware, software, computers, cameras, sound equipment, editing~~
8 ~~equipment, etc. Overall, the academy for creative media has~~
9 ~~raised over \$1,481,000 to support the students and program.~~

10 ~~The school recently received a total of \$200,000 that was~~
11 ~~privately raised or gifts from generous donors and supporters to~~
12 ~~build and install the school's animation render farm, a bank of~~
13 ~~over fifty computers that efficiently converts, assigns, and~~
14 ~~monitors animation projects. The system is available for all~~
15 ~~campuses on all islands via the Internet, and is currently being~~
16 ~~used by the Manoa, Leeward, and Kapiolani campuses, as well as~~
17 ~~Waianae Seariders Production. An additional \$146,500 has been~~
18 ~~raised from the Kellogg Foundation, to quadruple the capacity of~~
19 ~~the animation render farm project to provide system wide~~
20 ~~animation computing power, via the Internet, to digital media~~
21 ~~programs on all of the University of Hawaii campuses and Hawaii~~
22 ~~public schools at all levels. Furthermore, a \$500,000 federal~~



1 ~~grant was received for the school to produce an original~~
2 ~~documentary on statehood, which is currently in post-~~
3 ~~production.]~~

4 In spite of its success, the academy for creative media [~~is~~
5 ~~without a central facility or permanent home on any campus and~~
6 ~~does not receive any funding for programmatic needs outside of~~
7 ~~faculty salaries.] program has outgrown its space on the Manoa
8 campus and has needs for specialized teaching and creative
9 space.~~

10 The purpose of this part is to[+]

- 11 ~~(1) Authorize the academy for creative media to designate~~
12 ~~the existing public broadcasting system (PBS Hawaii)~~
13 ~~facility and studio located on the University of~~
14 ~~Hawaii at Manoa campus as an interim home; and~~
15 ~~(2) Appropriate] appropriate funds for the [purposes of~~
16 ~~this part.] academy for creative media program.~~

17 [~~SECTION 3. (a) The existing public broadcasting facility~~
18 ~~and studio located on the University of Hawaii at Manoa campus~~
19 ~~shall be leased to PBS Hawaii for a term of not less than~~
20 ~~thirty five years. The lease agreement shall include the~~
21 ~~following:~~



- 1 ~~(1) PBS Hawaii shall be responsible for renovation and~~
2 ~~construction of any additional space to the existing~~
3 ~~facility located at 2350 Dole street;~~
- 4 ~~(2) PBS Hawaii shall provide an interim home for the~~
5 ~~academy for creative media in space equal to forty per~~
6 ~~cent of the net usable square footage of the facility,~~
7 ~~including any newly constructed space; provided that~~
8 ~~the academy for creative media shall occupy an~~
9 ~~exclusive space with no common areas with PBS Hawaii~~
10 ~~and shall be the only subtenant at the facility;~~
- 11 ~~(3) PBS Hawaii shall be responsible for the annual~~
12 ~~maintenance and operating costs of the building and~~
13 ~~shall continue to pay for the costs attributed to the~~
14 ~~academy for creative media based on current~~
15 ~~allocations of cost to square footage;~~
- 16 ~~(4) The University of Hawaii shall expend at least~~
17 ~~\$4,870,000, as appropriated in section 3 of this Act,~~
18 ~~for equipment and installation suitable for the~~
19 ~~academy for creative media programs, costs associated~~
20 ~~with handicapped compliance, and common area spaces;~~
21 ~~and~~



1 ~~(5) A written memorandum of understanding of the above~~
2 ~~conditions shall be executed between the University of~~
3 ~~Hawaii at Manoa and PBS Hawaii in 2007.~~

4 ~~(b) PBS Hawaii shall share the long term use of the~~
5 ~~building without cost, apart from the costs under subsection~~
6 ~~(a) (1), (2), and (3); provided that if PBS Hawaii is no longer a~~
7 ~~public broadcasting system affiliate in good standing, or is no~~
8 ~~longer licensed by the Federal Communications Commission as~~
9 ~~either a community or university licensee, the facility shall be~~
10 ~~returned to the University of Hawaii at Manoa.]~~

11 SECTION ~~[4.]~~ 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$2,870,000 or so much
13 thereof as may be necessary for fiscal year 2007-2008 and
14 \$2,000,000 or so much thereof as may be necessary for fiscal
15 year 2008-2009 for the ~~[equipment and installation suitable for~~
16 ~~the] academy for creative media [programs, costs associated with~~
17 ~~handicapped compliance, and common area spaces of the PBS Hawaii~~
18 ~~facility and studio.] program.~~

19 The appropriation made for the ~~[equipment and installation~~
20 ~~for the] academy for creative media [~~programs] program~~
21 authorized by this part shall not lapse at the end of the fiscal
22 year for which the appropriation is made; provided that all~~



1 moneys from the appropriation unencumbered as of June 30, 2009,
2 shall lapse as of that date.

3 The sum appropriated shall be expended by the University of
4 Hawaii for the purposes of this part[-]; provided that funds
5 shall be expended to expand programs and facilities of the
6 academy for creative media program statewide as administered by
7 the University of Hawaii pursuant to section 304A- , Hawaii
8 Revised Statutes; provided further that the expansion of
9 programs and facilities of the academy for creative media
10 program shall include expansion of the West Oahu-Kapolei
11 region."

12 PART III

13 SECTION 7. The appropriation made for the capital
14 improvement projects authorized by this Act shall not lapse at
15 the end of the fiscal biennium for which the appropriation is
16 made; provided that all moneys from the appropriation
17 unencumbered as of June 30, 2010, shall lapse as of that date.

18 SECTION 8. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 9. This Act shall take effect upon approval;
21 provided that:



- 1 (1) Sections 2 and 3 shall take effect on July 1, 2008;
- 2 and
- 3 (2) Section 6 shall take effect on June 29, 2008.



Report Title:

UH; Repair and Maintenance; Academy for Creative Media

Description:

Authorizes the issuance of general obligation bonds to fund University of Hawaii repair and maintenance projects. Establishes the system-wide, statewide academy for creative media program in statute under the University of Hawaii. Amends Act 11, Special Session Laws of Hawaii 2007, to refocus the purpose section, delete all references to a lease agreement with PBS Hawaii, and provide that funds shall be expended to expand the programs and facilities of the academy for creative media program at a system-wide level, including funding directed to the West Oahu-Kapolei region. (SD1)

