

Honolulu, Hawaii

FEB 12 2008

RE: S.B. No. 3168  
S.D. 1

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

Madam:

Your Committees on Economic Development and Taxation and  
Education, to which was referred S.B. No. 3168 entitled:

"A BILL FOR AN ACT RELATING TO CREATIVE MEDIA,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Establish the Academy for Creative Media (ACM) program in statute under the University of Hawai'i at West Oahu; and
- (2) Amend Act 11, Special Session Laws of Hawaii 2007, to delete all references to a lease agreement with PBS Hawaii, and to delete the references to equipment and installation in the appropriation section.

Testimony in support of this measure was received from the Department of Education; Ho'opili, D.R. Horton, Schuler Division; Kapolei Property Development; Watanabe Ing & Komeiji; and five individuals. The University of Hawai'i System testified in opposition. The Department of Business, Economic Development, and Tourism submitted comments.

Your Committees are considering two related issues as a result of the discussions on this measure - sustained support for a successful University program and the significant contributions that the long-anticipated West Oahu campus will have for the State's economy. Your Committees acknowledge that the priority



mission of the University of Hawai'i is to provide excellent post secondary education to our young adults. But members are in agreement with the testimony of community members who believe the mission should also include the University's contribution to the proper planning and growth in the State. A permanent University of Hawai'i West Oahu campus in Kapolei, and establishing the ACM program at the campus fulfills both goals.

Your Committees cite the history of the initiative to establish a West Oahu campus - to serve not only as a University facility in the Leeward area, but also as a central hub in a growth area designed to support a broad range of 21st century development and jobs, such as creative media, high technology and alternate energy ventures, and dual use and science-technology applications.

With a new film-production facility planned for the Kapolei industrial area, and the recent announcement of a Disney-owned hotel complex within the Ko Olina Resort complex, your Committees believe the time has come for the University of Hawai'i West Oahu to take its place as the center of Hawaii's creative media industry. The convergence of these developments and the growing number of K-12 students excelling in digital media production in Leeward and Central Oahu means that it is finally time for this vision to become a reality when the new campus is scheduled to open in Kapolei in fall 2009.

Your Committees find the response to this measure by the University of Hawai'i System troubling, in that it focuses on the role of the Board of Regents as sole determiner of the placement of an academic program. Your Committees would remind the University that the Legislature also exercises authority over programming and facility decisions by virtue of its power to appropriate funds, and pursuant to article X, section 6, of the State Constitution, the Legislature shall have the exclusive jurisdiction to identify laws of statewide concern.

Your Committees have amended this measure by:

- (1) Adding language in the findings and purpose section related to the siting of the school as a cornerstone of the State's development of the Kapolei-West Oahu region as a hub of Hawaii's creative media industry;



- (2) Adding qualifications and responsibilities required for the head of the ACM;
- (3) Amending Act 11, Special Session Laws of Hawaii 2007, to delete the majority of the findings and purpose language in section 2, as this is duplicative of the findings and purpose in this measure; and
- (4) Inserting a proviso in the appropriation that no funds shall be expended unless the ACM is permanently established at and administered by the University of Hawai'i at West Oahu.

As affirmed by the records of votes of the members of your Committees on Economic Development and Taxation and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3168, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3168, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Economic  
Development and Taxation and  
Education,


  
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NORMAN SAKAMOTO, Chair

  
\_\_\_\_\_  
CAROL FUKUNAGA, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Economic Development and Taxation**  
**EDT**

Bill / Resolution No.:* <b>SB 3168</b>	Committee Referral: <b>EDT/EDU, WAM</b>	Date: <b>2/7/08</b>		
<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				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
FUKUNAGA, Carol (C)	✓			
ESPERO, Will (VC)	✓			
BAKER, Rosalyn H.				✓
ENGLISH, J. Kalani				✓
IGE, David Y.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">  </div>				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Education**  
**EDU**

Bill / Resolution No.:* <b>SB3108</b>	Committee Referral: <b>EDT/EDU, WAM</b>	Date: <b>2-8-08</b>
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The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	X			
TOKUDA, Jill N. (VC)	X			
CHUN OAKLAND, Suzanne	X			
GABBARD, Mike	X			
HEE, Clayton				X
NISHIHARA, Clarence K.	X			
TANIGUCHI, Brian T.		X		
SLOM, Sam	X			
<b>TOTAL</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>1</b>

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature: 

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