

HB986

Date: 03/23/2009

Committee: Senate Education and Housing
Senate Energy and Environment

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent of Education

Title of Bill: HB 0986,HD1(HSCR861) RELATING TO PUBLIC SCHOOL FACILITIES.

Purpose of Bill: Requires construction and renovation of public school facilities to meet the Collaborative for High Performance Schools standards. Requires replacement of old portable buildings with high performance classrooms. Also requires prioritization of public school facilities projects in accordance with certain criteria. (HB986 HD1)

Department's Position: The Department of Education (DOE) supports H.B. 986, HD1 with amendments.

The DOE feels amending HRS Section 196-9 by adding the requirement for all public school facilities, including renovations and projects under 5,000 square feet, to meet the Collaborative for High Performance Schools (CHPS) rating system is redundant given the existing subsection (b) (1) of HRS Section 196-9, and the fact that the DOE is currently incorporating CHPS criteria and referencing its Best Practices Guidelines for both new construction and renovation projects.

Rather than amending Section 196-9 by adding subsection (c) 1-3, we propose amending 196-9 subsection (b) (1) to include renovations, as follows:

“(b) With regard to buildings and facilities, each agency shall:

(1) Design, construct, and renovate buildings to meet the Leadership in Energy and Environmental Design silver or two green globes rating system

or another comparable state-approved, nationally recognized, and consensus-based guideline, standard, or system, except when the guideline, standard, or system interferes or conflicts with the use of the building or facility as an emergency shelter;”

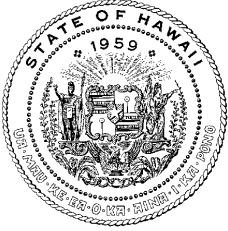
Sections 2, 4, and 5 in the bill amending HRS Sections referring to repair and maintenance projects (36-35 c and f, 302A-1312 a, and 302-1505b) could then be amended by referencing “energy efficiency and environmental standards as required under section 196-9 (b)”.

With regard to portable classrooms, the proposed subsection (c) (2) requires the replacement of portable classrooms older than 20 years. Given the high cost of constructing new portable classrooms, and the very limited funds available, we feel it is more appropriate to replace portables when their condition warrants replacement, rather than on a preset schedule. In addition, the DOE currently has pilot projects underway to retrofit and reduce energy use in existing portables and to develop an energy neutral prototype high performance classroom.

With regard to proposed subsection (c) (3) on the prioritizing of public school facilities, the DOE recommends this subsection be deleted since other sections of the bill address prioritizations and we feel the implementation of this subsection would be difficult in practice.

In sum, the DOE feels the bill could be stronger if it built off the existing Act 96 subsection b as we propose. The DOE could then support the bill as providing a positive direction for energy efficiency and environmental standards.

Thank you for the opportunity to testify.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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**Statement of
THEODORE E. LIU
Director
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEES
on
EDUCATION AND HOUSING
and
ENERGY AND ENVIRONMENT
Monday, March 23, 2009
1:15 p.m.
State Capitol, Conference Room 225
in consideration of
HB986 HD1
RELATING TO PUBLIC SCHOOL FACILITIES.**

Chair Sakamoto, Chair Gabbard, Vice Chair Kidani, Vice Chair English, and
Members of the Committees.

The Department of Business, Economic Development, and Tourism (DBEDT) supports the intent of HB986 HD1, but has concerns about the cost implications of this proposal. HB986 HD1 requires construction of public school facilities to meet the Collaborative for High Performance School standards and requires replacement of old portable classroom buildings with high performance classrooms. This bill also requires the prioritization of public school facilities projects in accordance with certain criteria.

More specifically, this bill requires agencies to design and construct all public school facilities under 5,000 square feet to meet the Collaborative for High Performance Schools rating system. It also requires the development and implementation of a program to replace portable classrooms over 20 years old with high performance classrooms that have 40%

lower life-cycle costs than traditional buildings. In prioritizing a school's repair and maintenance needs, the bill also requires that the Department of Education (DOE) and the school's principals to consider energy efficiency and environmental standards under section 196-9(c).

DBEDT has been working with the DOE and other State of Hawaii agencies to Lead by Example in the implementation of energy efficiency and high performance buildings in the State of Hawaii. DBEDT developed the Hawaii High Performance School Guidelines for energy efficiency improvements to new and major renovations of schools in Hawaii. The DOE uses those guidelines as well as the Collaborative for High Performance School guidelines and designs all new school facilities to meet the requirements of Leadership in Energy and Environmental Design (LEED) Silver. DBEDT has been educating State of Hawaii and private sector entities on LEED and conducting training for professionals in preparation for the LEED Accredited Professionals Exam. This bill would extend and expand the State of Hawaii's commitment to high performance buildings by requiring buildings that are undergoing repair and maintenance to meet the Collaborative for High Performance Schools rating system.

The Collaborative for High Performance Schools' (CHPS) mission is to facilitate the design, construction, and operation of high performance schools: Environments that are not only energy and resource efficient, but also healthy, comfortable, well lit, and containing the amenities for a quality education. CHPS helps facilitate and inspire change in our educational system. The goals of CHPS are to:

- Increase student performance with better-designed and healthier facilities;
- Raise awareness of the impact and advantages of high performance schools;

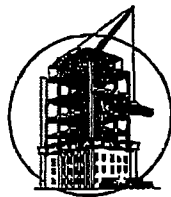
- Provide professionals with better tools to facilitate effective design, construction and maintenance of high performance schools;
- Increase school energy and resource efficiency; and
- Reduce peak electric loads.

The CHPS Criteria and LEED for Schools credit and point structures differ in some areas as well as the minimum requirements for participation. In trying to make comparisons for meeting CHPS minimum threshold and LEED for Schools, it is clear that at the minimum level for participation the CHPS Criteria is more stringent. For one, the CHPS Criteria has more prerequisites than LEED for Schools. Thus, a school that earns minimum point requirements for CHPS would most likely earn a LEED for Schools certification.

However, modifying the CHPS criteria for Hawaii would be necessary as other states such as New York, Massachusetts, Colorado, Washington, Texas, and the New England States have done so.

We defer to the Department of Education on the implementation measures and related costs called for in this bill.

Thank you for the opportunity to offer these comments.



HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

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March 22, 2009

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Allied Workers Local 132*

Honorable Senator Norman Sakamoto, Chair
Honorable Senator Michelle Kidani, Vice Chair
Members of the Senate Committee on Education and Housing
Honorable Senator Mike Gabbard, Chair
Honorable Senator J. Kalani English, Vice Chair
Members of the Senate Committee on Energy and Environment
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: **IN SUPPORT OF HB 986, HD 1**
RELATING TO PUBLIC SCHOOL FACILITIES
Hearing: Monday, March 23, 2009, 1:15 p.m., Room 225

Dear Chair Sakamoto, Vice Chair Kidani and the Senate Committee on Education and Housing, Chair Gabbard, Vice Chair English and the Senate Committee on Energy and Environment:

For the Record my name is Buzz Hong the Executive Director for the Hawaii Building & Construction Trades Council, AFL-CIO. Our Council is comprised of 16-construction unions and a membership of 26,000 statewide.

The Council SUPPORTS the passage of HB 986, HD1 that requires construction and renovation of public school facilities to meet the Collaborative for High Performance Schools standards. Requires replacement of old portable buildings with high performance classrooms. Also requires prioritization of public school facilities projects in accordance with certain criteria.

Thank you for the opportunity to submit this testimony in support of HB 986, HD1.

Sincerely,

William "Buzz" Hong
Executive Director