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# A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. The legislature finds despite Hawaii's unique  
2 advantage in consistent access to alternative energy sources  
3 such as solar, wind, and geothermal power, the State remains  
4 about ninety per cent dependent on imported fossil fuels. State  
5 facilities, including public schools, are a major consumer of  
6 resources such as water and electricity. Compared to  
7 traditional schools, green schools can create healthier  
8 environments that are conducive to learning while saving energy,  
9 resources, and money.

10           Nationally, many schools are increasingly demonstrating  
11 environmental responsibility and realizing cost savings through  
12 green building. The U.S. green building council has established  
13 the Leadership in Energy and Environmental Design (LEED) for  
14 schools rating system as a tool to set standards for the design  
15 and construction of schools. The LEED for schools rating system  
16 scores school buildings in the areas of sustainable site  
17 development, water savings, energy efficiency, materials



1 selection, and indoor environmental quality. Waipahu  
2 intermediate school's cafeteria, the University of Hawaii John  
3 A. Burns school of medicine, Case middle school (Punahou  
4 School), Hawaii Baptist Academy middle school, and Ewa makai  
5 middle school are the schools and school projects that have  
6 already been LEED certified or registered to attain LEED  
7 certification. The legislature finds that expanding alternative  
8 energy use in more of Hawaii's public school buildings is the  
9 next important step in reducing Hawaii's dependence on imported  
10 fossil fuels and energy costs in the long term.

11 The purpose of this Act is to require the department of  
12 education to incorporate alternative energy use designs into the  
13 construction of new schools and into major renovations to  
14 existing schools.

15 SECTION 2. Chapter 302A, part VI, Hawaii Revised Statutes,  
16 is amended by adding a new section to be appropriately  
17 designated and to read as follows:

18 "§302A- School construction and renovation; alternative  
19 energy design requirement. The department shall implement  
20 alternative energy designs for the construction of all new  
21 school buildings and school renovations exceeding \$1,000,000 for  
22 which the planning and design of the project begins on or after



1 July 1, 2010. Alternative energy use in newly constructed or  
2 renovated school buildings under this section shall generate a  
3 minimum of ten per cent of the building's total energy  
4 consumption.

5 For purposes of this section, "alternative energy designs"  
6 means building plans that use geothermal, solar, wind, ocean  
7 power, or biomass and solid waste energy as the dominant sources  
8 of energy generation for the building or facility."

9 SECTION 3. Section 36-35, Hawaii Revised Statutes, is  
10 amended by amending subsection (f) to read as follows:

11 "(f) The superintendent of education shall ensure that all  
12 repair and maintenance projects achieve maximum cost-efficiency  
13 by emphasizing functional or performance criteria, conformance  
14 to alternative energy design requirements under section 302A- ,  
15 uniformity of design, and commonality of products, and by  
16 avoiding unique or custom requirements that increase long-term  
17 costs. The superintendent of education shall develop project  
18 specifications based on generic specifications or prescriptive  
19 specifications using standard commercial products. Prescriptive  
20 specifications may include a qualified product list.

21 For the purposes of this subsection:



1 "Generic specification" means a technical specification  
2 that is written in a clear, unambiguous, and nonrestrictive  
3 manner establishing:

- 4 (1) Design, performance, or functional requirements to  
5 identify the work to be performed; and  
6 (2) Material standards to be used on a project.

7 "Prescriptive specification" means a technical  
8 specification:

- 9 (1) Establishing that the required work to be performed is  
10 written in a clear, unambiguous, and nonrestrictive  
11 manner; and  
12 (2) Listing manufacturers or products that are acceptable  
13 for use on the project.

14 "Standard commercial product" means a product or material  
15 that in the normal course of business is customarily maintained  
16 in stock by, or readily available for marketing from a  
17 manufacturer, distributor, or dealer.

18 This subsection shall not apply to any school facility  
19 designated a historic property pursuant to section 6E-5.5."

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect upon its approval.

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**Report Title:**

School Construction; School Renovation; Alternative Energy Design

**Description:**

Requires the department of education to incorporate alternative energy designs into the construction of new schools and major renovations at existing schools for which planning and design begins on or after July 1, 2010. (SD1)

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

