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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1       SECTION 1. The purpose of this Act is to clarify the law  
2 with respect to the transfer of responsibility for school  
3 facilities, including the repair and maintenance of donated  
4 equipment and fixtures, from the department of accounting and  
5 general services to the department of education as provided for  
6 in Act 51, Session Laws of Hawaii 2004.

7       SECTION 2. Section 302A-1501, Hawaii Revised Statutes, is  
8 amended to read as follows:

9       " ~~[f]~~ §302A-1501 ~~[f]~~ **Noise and climate control at school**  
10 **facilities.** ~~[(a)]~~ The department shall plan for, and request  
11 appropriations necessary to implement, acoustic noise control  
12 and air conditioning of existing and new school facilities in  
13 areas that are susceptible to extremes of temperature or  
14 affected by aircraft, traffic, and other noise. The department  
15 shall develop appropriate standards and consider local  
16 conditions for deciding whether acoustic noise control and air  
17 conditioning of existing and new school facilities are required



1 for effective classroom instruction. In all cases where  
2 acoustic treatment of school facilities is planned, the  
3 department shall [~~utilize~~] use the services of individuals  
4 qualified by training and experience to recommend appropriate  
5 noise control procedures and components. Acoustic noise control  
6 and air conditioning shall be given equal weight as all other  
7 factors in the criteria used by the department in setting  
8 priorities for school construction and renovations.

9 ~~[(b) In any case where air conditioners are installed in a  
10 particular school, the department may require that the  
11 approximate cost of electricity and maintenance for air  
12 conditioners not installed by the department of accounting and  
13 general services be paid by a private entity until the  
14 department establishes temperature and noise standards and a  
15 policy relating to air conditioning.] "~~

16 SECTION 3. Section 302A-1503, Hawaii Revised Statutes, is  
17 amended by amending subsection (b) to read as follows:

18 "(b) In the case of equipment or fixtures that are to be  
19 installed in existing or new school facilities, the department  
20 [~~of accounting and general services~~] shall [~~thereafter~~] be  
21 responsible for the repair and maintenance of the donated  
22 equipment or fixtures [~~. In the case of equipment that supports~~



1 ~~the school's curriculum and programs, the department of~~  
2 ~~education shall thereafter be responsible for the repair and~~  
3 ~~maintenance of the donated equipment.], unless the equipment or~~  
4 fixtures are deemed obsolete, as determined by the department."

5 SECTION 4. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

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



**Report Title:**

Department of Education; School Facilities

**Description:**

Clarifies the transfer of responsibility for repair and maintenance of equipment and fixtures in school facilities from the department of accounting and general services to the department of education. (SB145 HD1)

