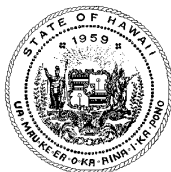


HB865 HD1

Twenty-first Century Schools; DOE;
Appropriation (\$)
EDU, WAM



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

Monday, March 18, 2013, 1:15 PM
State Capitol Room 414

Testimony of
Policy Office of the Governor, State of Hawaii

To the Senate Committees on Education
and Economic Development, Government Operations and Housing

Senator Jill Tokuda, Chair, Education Committee
Senator Michelle Kidani, Vice Chair, Education Committee

HB 865_HD1 – Relating to Public School Redevelopment

Chair Tokuda, Vice Chair Kidani and Committee Members:

Thank you for the opportunity to provide testimony in support of House Bill 865, House Draft 1 (HB 865_HD1). HB 865_HD1 provides the opportunity to establish public-private partnerships to develop or redevelop public school lands in order to improve public school facilities so that our children can learn in 21st century schools.

The Twenty-First Century Schools initiative is critical to exploring the opportunity to supplement the state's resources to modernize our public school facilities. As I shared with you in my State of the State address public schools are on average 65 years old, and many facilities have been ignored due to limited budgets. With the Legislature's support, the Hawaii Department of Education (DOE) has made significant progress on reducing the repair and maintenance backlog in our schools. However, the DOE reported prioritized capital improvement needs of \$620,975,000 for the biennium, and identified the need for 11 new schools in growing communities. These needs outpace historical legislative appropriations.

The Twenty-First Century Schools initiative, enabled by HB 865 or Senate Bill 273, is a public-private partnership that would allow DOE to lease underutilized lands for the purpose of generating income to be used to upgrade existing schools or construct new schools. The concept, based on successful models elsewhere, builds long-term value for local school communities, which benefit from better school facilities, multi-purpose community centers, workforce housing, or other needs as determined by the Board of Education (BOE) to be compatible with the community.

We have reviewed the Proposed Senate Draft 1. We have proposed a draft that incorporates changes in Proposed Senate Draft 1 (attached):

- Identify the Governor's Office as the facilitator for the project;
- Allow for a maximum of five projects, as provided in the HD1;
- Allow the BOE to issue leases for facilities that are compatible with the community, and
- Provide option for Hawaii Community Development Authority to be engaged to assist but limiting their role to providing development assistance and not extending their authority for zoning.

Success will require a community-based policy and planning approach. Any use of public lands must be compatible with and provide benefits to the surrounding community. Teachers, administrators, students, parents, community residents and other stakeholders must play a meaningful role in the planning, design and partnership between the school and surrounding community.

We urge you to consider including the proposed amendments and to support this bill. Thank you for your consideration.

A BILL FOR AN ACT

1
2 RELATING TO PUBLIC SCHOOL REDEVELOPMENT.

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

4
5 SECTION 1. The legislature finds that one of the major educational
6 dilemmas of our time is rooted in an existing system that traps
7 information-age students in agricultural-age schools. While the flow
8 of information and ideas is increasingly fluid, students are confined
9 to the physical structures and mindsets of an earlier time and place.

10 Building, repairing, and retrofitting public schools to meet the
11 challenges of the twenty-first century and beyond will not be easy,
12 and the costs will be considerable. However, quality school
13 infrastructure facilitates an environment that will prepare children
14 to achieve and succeed in a highly competitive economy.

15 The infrastructure of the twenty-first century school must be energy
16 efficient and wired with the latest technology. Classroom size must be
17 flexible because the program, not the space, should determine the
18 number of students per class. The school campus must be designed from
19 its inception with student achievement in mind to maximize available
20 land and student safety, and to offer the community multiple uses of
21 existing structures. Most of Hawaii's school campuses fall short in
22 these areas.

1 The legislature further finds that twenty-first century schools are
2 also those that include a full complement of the people, programs, and
3 places that support a wide range of personal learning styles and
4 instructional modalities. Schools are often separated from personal
5 and family service programs in urban and rural communities. One way to
6 address this situation is to think about schools as the center of a
7 community that can support all aspects of living and learning. The
8 creation of school-centered communities will provide greater access to
9 centrally located physical, cultural, social, economic,
10 organizational, and educational programs and services that are within
11 walking distance of children and families.

12 The considerable amount of underused public school lands on the
13 State's two hundred fifty-seven school campuses is an untapped
14 resource that would provide infrastructure that could make classrooms,
15 campuses, and communities suitable for the twenty-first century. By
16 way of illustration, a preliminary review by a real estate expert
17 indicates that ten parcels that have unused lands are valued at
18 \$120,000,000 under existing surrounding uses. These lands could be
19 developed solely for the benefit of Hawaii's public school children.

20 The beneficiaries would be the children of Hawaii.

21 The purpose of this Act is to optimize the use of public school lands
22 to generate opportunities to improve public school facilities and
23 infrastructure to meet the challenges of the twenty-first century and
24 to improve the overall quality of education in Hawaii. In particular,
25 this Act establishes a three-year program to generate revenue from
26 uses for public purposes, such as workforce housing, to build and

1 retrofit twenty-first century schools and create more school-centered
2 communities. The program will lay important groundwork for a statewide
3 approach and plan to optimize public school lands and modernize public
4 school facilities. This Act also establishes the school facilities
5 special fund within chapter 302A, Hawaii Revised Statutes, into which
6 shall be deposited all proceeds generated from the lease of public
7 school lands. Moneys in the school facilities special fund will be
8 used to build or upgrade twenty-first century school facilities.

9 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding
10 two new sections to be appropriately designated and to read as
11 follows:

12 "§302A-A **Program for lease of public school land.** (a) There shall be
13 established within the office of the governor a program for the lease
14 of public school land, including facilities. The office of the
15 governor shall serve as the facilitator of the pilot program and shall
16 consult with the department, the board, and any other appropriate
17 agency, as provided in this section.

18 (b) The office of the governor may contract with the Hawaii community
19 development authority for purposes of implementing the program;
20 provided that any public school land site participating in the program
21 shall not be subject to the provisions of section 206E-7 that allow
22 community development rules to supersede all other inconsistent
23 ordinances and rules relating to the use, zoning, planning, and
24 development of land and construction.

25 (c) Notwithstanding sections 171-13 and 302A-1151, or any other law to
26 the contrary, the department, as directed by the office of the

1 governor, may lease public school land on terms it deems appropriate;
2 provided that:

3 | (1) The department may identify and select up to five public
4 | school land sites, subject to approval by the board,
5 | for participation in the program; provided further
6 | that during the identification and selection process,
7 | the board shall be subject to chapter 92 and shall
8 | foster school and community participation in the
9 | planning process;

10 | (2) The department, with the approval of the board, may lease
11 | public school land for the public school land sites
12 | identified and selected pursuant to paragraph (1)
13 | under leases for a term of not more than fifty-five
14 | years per lease to lessees who shall be required to
15 | modify, construct, or utilize facilities that are
16 | determined to be compatible with the community, in
17 | accordance with specific request for proposal or
18 | request for information guidelines;

19 | (3) Each lease shall stipulate that the lessee may retain any
20 | revenue generated from the facilities; provided that:

21 | (A) The lessee shall be obligated to maintain and operate the
22 | facilities for a public purpose for the length of
23 | the lease;

1 (B) The lessee shall be obligated to pay to the county all
2 applicable property tax on the value of any
3 improvements;

4 (C) A leasehold premium may be charged to the lessee for the
5 right to use the public school land based on a
6 competitive bid process;

7 (D) Upon the expiration of the lease, the facilities shall
8 revert to the department; and

9 (E) All revenues and proceeds derived by the State under this
10 section shall be deposited in the school
11 facilities special fund established under section
12 302A-B; and

13 (4) The office of the governor, the department, and the board
14 shall develop and integrate a community
15 engagement process in the activities conducted
16 under the program.

17 **§302A-B School facilities special fund.** (a) There is established a
18 school facilities special fund into which shall be deposited all
19 proceeds from the leases, permits, interest income generated from
20 public school lands, and other revenue generated from the non-
21 permanent disposition of public school lands, including facilities,
22 pursuant to section 302A-A.

23 (b) The school facilities special fund shall be administered by the
24 department. Except as otherwise provided, all moneys in the school
25 facilities special fund shall be used exclusively for the new

1 construction and upgrade of twenty-first century school facilities, as
2 well as the repair and maintenance of existing school facilities."

3 SECTION 3. Section 171C-17, Hawaii Revised Statutes, is amended by
4 amending subsection (a) to read as follows:

5 "(a) There is established the Hawaii public land development revolving
6 fund, to which shall be credited any state appropriations to the fund,
7 any sums collected as a result of bonds issued pursuant to this
8 chapter, any revenues generated from the facilities, except as
9 provided in [~~sections~~] section 171C-17.5 [~~and 171C-21~~], or other
10 moneys made available to the fund, to be expended as directed by the
11 corporation."

12 SECTION 4. Section 171C-21, Hawaii Revised Statutes, is repealed.

13 [~~"[§171C-21] School facilities special fund. (a) There is established~~
14 ~~a school facilities special fund into which shall be deposited all~~
15 ~~proceeds from leases, permits, interest income generated from public~~
16 ~~school lands and facilities, and other revenue generated from the non-~~
17 ~~permanent disposition of public school lands and facilities under this~~
18 ~~chapter, less the following:~~

19 ~~(1) The principal and interest on bonds issued pursuant to this~~
20 ~~chapter for projects on public school lands or~~
21 ~~utilizing public school facilities;~~

22 ~~(2) The cost of administering, operating, and maintaining~~
23 ~~projects on public school lands or utilizing public~~
24 ~~school facilities, not to exceed fifteen per cent of~~

1 ~~the sums collected, net of principal and interest~~
2 ~~payments on bonds; and~~

3 ~~(3) Other sums that may be necessary for the issuance of bonds~~
4 ~~under this chapter.~~

5 ~~(b) The school facilities special fund shall be administered by the~~
6 ~~department of education in consultation with the board of education.~~

7 ~~Except as otherwise provided, all moneys in the school facilities~~
8 ~~special fund shall be used exclusively for the new construction and~~
9 ~~upgrade of twenty-first century school facilities, and the retrofit~~
10 ~~and upgrade of existing school facilities to meet twenty-first century~~
11 ~~school standards."]~~

12 | SECTION 5. The office of the governor shall submit a report to the
13 | legislature no later than twenty days prior to the convening of the
14 | regular sessions of 2014 through 2016. The report shall provide the
15 | following:

16 | (1) A timeline for the program pursuant to this Act;

17 | (2) A summary of the office of the governor's and the department
18 | of education's activities, results, and

19 | recommendations to optimize the use of public school
20 | lands as a means to build or renovate twenty-first
21 | century schools and school-centered communities;

22 | (3) A summary of all school and community engagement efforts

23 | undertaken or that will be undertaken by the office of
24 | the governor and the department of education in

25 | carrying out the program pursuant to this Act; and

1 (4) Any proposed legislation.

2 SECTION 6. There is appropriated out of the general revenues of the
3 State of Hawaii the sum of \$ or so much thereof as may be necessary
4 for fiscal year 2013-2014 and the same sum or so much thereof as may
5 be necessary for fiscal year 2014-2015 for the public school lands
6 program established pursuant to section 2 of this Act.

7 The sums appropriated shall be expended by the department of education
8 for the purposes of this Act.

9 SECTION 7. All moneys in the school facilities special fund
10 established pursuant to section 171C-21, Hawaii Revised Statutes, as
11 of the effective date of this Act, shall be transferred to the school
12 facilities special fund established pursuant to section 2 of this Act.

13 SECTION 8. In codifying the new sections added by section 2 of this
14 Act, the revisor of statutes shall substitute appropriate section
15 numbers for the letters used in designating the new sections in this
16 Act.

17 SECTION 9. Statutory material to be repealed is bracketed and
18 stricken. New statutory material is underscored.

19 SECTION 10. This Act shall take effect on July 1, 2013; provided that
20 section 302A-A, Hawaii Revised Statutes, shall be repealed on June 30,
21 2016.

22
23

1 **Report Title:**

2 | Education; Public School Lands Program; Leases; Appropriation

3 **Description:**

4 Establishes a three-year program to generate revenue through the
5 lease of public school lands for public purposes. Establishes
6 the school facilities special fund within chapter 302A, HRS.

7 | Requires the office of the governor to submit a report to the
8 legislature. Makes an appropriation for the program. (Proposed
9 SD1)

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

12



STATE OF HAWAII
BOARD OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Senate Committee on Education
Senator Jill N. Tokuda, Chairperson
Senator Michelle N. Kidani, Vice Chairperson

Monday, March 18, 2013
1:15 p.m.
Hawai'i State Capitol, Room 414

Testimony of Don G. Horner, Chairperson

**Testimony in SUPPORT of the INTENT of HB 865 HD1, Relating to Public School
Redevelopment**

The Board of Education fully supports the intent of HB 865 HD1 which is optimizing public school lands to generate opportunities to improve school facilities, ultimately improving student achievement.

Thank you for the opportunity to testify in support of this measure.

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 * HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 * FAX: (808) 768-4242 * INTERNET: www.honolulu.gov



KIRK CALDWELL
MAYOR

EMBER LEE SHINN
MANAGING DIRECTOR DESIGNATE

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

TESTIMONY OF KIRK CALDWELL, MAYOR
CITY AND COUNTY OF HONOLULU
BEFORE THE SENATE
COMMITTEE ON EDUCATION
Monday, March 18, 2013, 1:15 p.m., Conference Room 414

HOUSE Bill 865 HD1, "RELATING TO PUBLIC SCHOOL REDEVELOPMENT"

Position: Support

To: The Honorable Jill N. Tokuda, Chair
and Members of the Committee on Education

The City & County of Honolulu supports the concept of House Bill 865 HD1, "Relating to Public School Redevelopment", which proposes to establish a framework for the development of twenty-first century schools through the redevelopment of public school lands by the Department of Education (DOE).

This bill will allow for a unique opportunity for public-private partnerships as a means to repair and construct our public schools to meet the challenges of the twenty-first century. This in turn will help prepare our students to succeed in our competitive global economy.

The City & County of Honolulu respectfully submits that the Counties be allowed to consult on any proposed development on public school lands as many of the public school sites are owned by the Counties. Also, measures should be taken to ensure that any proposed development on public school lands are in line with the surrounding land use and zoning regulations.

Mahalo for the opportunity to testify on this bill. Should you have any questions or concerns, please feel free to contact me at 768-4141.

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CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

EMBER LEE SHINN
MANAGING DIRECTOR DESIGNATE

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DEPUTY MANAGING DIRECTOR

TESTIMONY OF KIRK CALDWELL, MAYOR
CITY AND COUNTY OF HONOLULU
BEFORE THE SENATE
COMMITTEE ON EDUCATION
Monday, March 18, 2013, 1:15 p.m., Conference Room 414

HOUSE Bill 865 HD1 PROPOSED SD1, "RELATING TO PUBLIC SCHOOL REDEVELOPMENT"
Position: Support

To: The Honorable Jill N. Tokuda, Chair
and Members of the Committee on Education

The City & County of Honolulu supports the concept of House Bill 865 HD1 Proposed SD1, "Relating to Public School Redevelopment", which proposes to establish a three-year pilot program to generate revenue through the lease of public school lands for public purposes.

This bill will allow for a unique opportunity for public-private partnerships as a means to repair and construct our public schools to meet the challenges of the twenty-first century. This in turn will help prepare our students to succeed in our competitive global economy.

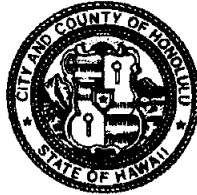
The City & County of Honolulu respectfully submits that the Counties be allowed to consult on any proposed development on public school lands as many of the public school sites are owned by the Counties. Also, measures should be taken to ensure that any proposed development on public school lands are in line with the surrounding land use and zoning regulations.

Mahalo for the opportunity to testify on this bill. Should you have any questions or concerns, please feel free to contact me at 768-4141.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
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KIRK CALDWELL
MAYOR



GEORGE I. ATTA
FAICP, LEED AP, CEI
DIRECTOR DESIGNATE

JIRO A. SUMADA
DEPUTY DIRECTOR

March 18, 2013

The Honorable Jill N. Tokuda, Chair
and Members of the Committee on Education
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Tokuda and Committee Members:

**Subject: House Bill No. 865 H.D. 1
Relating to Public School Redevelopment**

The Department of Planning and Permitting has **comments** on House Bill No. 865, H.D. 1, which would allow the Department of Education to repair and upgrade school facilities and redevelop underutilized school lands.

We agree that overall, public school facilities should be upgraded. We agree that many of the properties can be used for multiple purposes, not limited to educating our children. In fact, we advocate for more compact development on school properties located within our transit corridor, encouraging good transit-oriented projects. We agree that innovative strategies and partnerships should be considered. With this kind of investment, not only can the school system be upgraded, but we can better attain the objectives of the "Complete Streets" and "Safe Routes to School" programs.

We request the following clarifications be reflected in the bill:

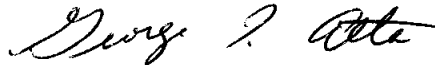
- When lands are owned by the county, the county is to be consulted in the redevelopment of the land for non-school purposes
- Any closings of streets or other rights-of-way should abide by county requirements for closure
- Any redevelopment involving non-school purposes should comply with county plans, zoning and development codes
- Any redevelopment involving non-school purposes are liable for applicable real property taxes, as provided under the State Constitution, Article VIII, Section 3, and applicable county ordinances

The Honorable Jill N. Tokuda, Chair
and Members of the Committee on Education
State Senate
Re: House Bill No. 865 H.D. 1
March 18, 2013
Page 2

We believe these amendments are important not only in assuring that existing county programs are part of the partnership concept embraced by the bill, but also important in assuring the public that existing community-based plans and regulations are not being set aside.

Please incorporate our recommendations into House Bill No. No. 865 H.D. 1. Thank you for the opportunity to testify.

Very truly yours,



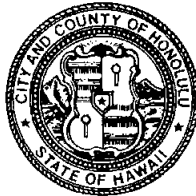
George I. Atta, FAICP, LEED AP, CEI
Director Designate
Department of Planning and Permitting

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hb865hd1-PublicSchoolRedevelop-k

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



GEORGE I. ATTA
FAICP, LEED AP, CEI
DIRECTOR DESIGNATE

JIRO A. SUMADA
DEPUTY DIRECTOR

March 18, 2013

The Honorable Jill N. Tokuda, Chair
and Members of the Committee on Education
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Tokuda and Committee Members:

**Subject: House Bill No. 865 H.D. 1, Proposed S.D. 1
Relating to Public School Redevelopment**

The Department of Planning and Permitting has **comments** on House Bill No. 865, H.D. 1, Proposed S.D. 1, which would assign to the lieutenant governor, a three-year pilot project to generate revenue through the lease of public school lands. This program would develop up to two public school lands, and would be repealed on June 30, 2016. This appears to be the same bill as SB237 S.D. 1.

We agree that overall, public school facilities should be upgraded. We agree that many of the properties can be used for multiple purposes, not limited to educating our children. In fact, we advocate for more compact development on school properties located within our transit corridor, encouraging good transit-oriented projects. We agree that innovative strategies and partnerships should be considered. With this kind of investment, not only can the school system be upgraded, but we can better attain the objectives of the "Complete Streets" and "Safe Routes to School" programs.

We are not commenting on the appropriateness of assigning this pilot project to the lieutenant governor. However, based on our experience, we do not believe significant progress can be achieved in three years. Prerequisite tasks, including site assessment, infrastructure feasibility and necessary upgrades, environmental reviews, procurement regulations and permitting can require significant amount of time before actual re-use is realized and revenues received.

The Honorable Jill N. Tokuda, Chair
and Members of the Committee on Education
State Senate
Re: House Bill No. 865 H.D. 1, Proposed S.D. 1
March 18, 2013
Page 2

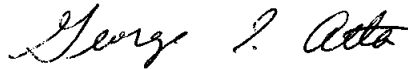
In addition, we request the following clarifications be reflected in the bill:

- When lands are owned by the county, the county is to be consulted in the redevelopment of the land for non-school purposes
- Any redevelopment involving non-school purposes must comply with county plans, zoning and development codes

We believe these amendments are important not only in assuring that existing county programs are part of the partnership concept embraced by the bill, but also important in assuring the public that existing community-based plans and regulations are not being set aside.

Please incorporate our recommendations into House Bill No. No. 865. Thank you for the opportunity to testify.

Very truly yours,



George I. Atta, FAICP, LEED AP, CEI
Director Designate
Department of Planning and Permitting

GIA:jmf
hb865hd1(PropSD1)-PubSchRedevel-k



Testimony of Cindy McMillan
The Pacific Resource Partnership

Senate Committee on Education
Senator Jill N. Tokuda, Chair
Senator Michelle N. Kidani, Vice Chair

HB 865, HD1, Proposed SD1 – Relating to Public School Redevelopment
Monday, March 18, 2013
1:15 pm
State Capitol, Conference Room 414

Aloha Chair Tokuda, Vice Chair Kidani and Members of the Committee:

The Pacific Resource Partnership (PRP) is a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters.

PRP **strongly supports** HB 865, HD1, Proposed SD1, Relating to Public School Redevelopment, which establishes a three-year pilot program to generate revenue through the lease of public school lands for public purposes. This measure also establishes the school facilities special fund and makes an appropriation for the pilot program.

PRP is a strong supporter of Hawaii's public school education system and believes that more must be done to better prepare our young people for a career, college and lifelong learning. Advancements in technology have increased the skill levels required to obtain and retain jobs that pay well and help to support a family.

Hawaii's public school facilities, with an average age of sixty-five years, are inadequate to maximize twenty-first century learning opportunities. The Department of Education (DOE) continues to have outstanding repair and maintenance needs, and many facilities have been neglected due to limited budgets. This year, the DOE reported that it has \$266,000,000 in repair and maintenance backlog as of this year and for the upcoming biennium, \$620,975,000 in prioritized capital improvement needs. In addition, the department projects a need to construct 11 new schools in growing communities over the next six years.

March 18, 2013

Testimony Supporting HB 865, HD1, Proposed SD1 – Relating to Public School Redevelopment

Page 2

Public funds are severely limited and hence, an unconventional solution is needed to bring Hawaii's public schools into the twenty-first century. The state's public school lands, some of which are underutilized, are an untapped resource. Public-private partnerships can help us use these lands in more education-friendly ways. They would also provide opportunities to generate income, which could be used to repair crumbling schools or to construct new schools. Engaging in public-private partnerships will help us focus on and support community-driven redevelopment of public school lands. It will help communities make better use of land while increasing educational and economic opportunities for the benefit of Hawaii's public school children.

For reasons mentioned above, PRP believes the pilot program to generate revenue through the lease of public school lands (for public purposes) to generate a school facilities special fund is a step in the right direction and thus, we respectfully ask for your support on HB 865, HD1, Proposed SD1. Thank you for the opportunity to share our views on this important initiative with you.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

"Building Better Communities"

2013 Officers

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Greg Thielen
Complete Construction Services Corp.

President-Elect

Brian Adachi
BKA Builders, Inc.

Vice President

Sunny Walsh
Hunt Building Company, Ltd.

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Dean Uchida

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Graham Builders, Inc.

Gary T. Okimoto

Honolulu Wood Treating

Mark Kennedy

HASEKO Construction Kamakana, LLC

Marshall Hickox

Homeworks Construction, Inc.

Michael Watanabe

JW, Inc.

Ryan Engle

Bays Lung Rose & Holma

Scotty Anderson

Pacific Rim Partners

W. Bruce Barrett

Castle & Cooke Homes Hawaii, Inc.

Testimony to the Senate Committee on Education

Monday, March 18, 2013

1:15 pm

State Capitol - Conference Room 414

RE: H.B. 865, H.D.1, AND H.B. 865, PROPOSED S.D. 1, RELATING TO THE PUBLIC SCHOOL REDEVELOPMENT

Dear Chair Tokuda, Vice-Chair Kidani, and members of the Committee:

My name is Gladys Marrone, Director of Government Relations for the Building Industry Association of Hawaii (BIA-Hawaii), the voice of the construction industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, affiliated with the National Association of Home Builders.

BIA-Hawaii provides the following comments on H.B. 865 H.D. 1. The bill proposes to establish a framework for the development of twenty-first century schools by allowing for the following:

1. Establishing the Department of Education (DOE) as the authority responsible for redeveloping public school lands and facilities;
2. Authorizing the Board of Education (BOE) to contract with any government agency or private entity to redevelop school facilities, subject to the state procurement code;
3. Specifying that if the Hawaii Community Development Authority is contracted to redevelop public school facilities, the redevelopment project shall not be subject to the exemptions that are otherwise allowed to the Authority under section 206E-7, Hawaii Revised Statutes;
4. Requiring the DOE to identify sites and establish criteria, specifications, and standards for twenty-first century school projects;
5. Requiring the BOE to approve, approve with modification, or deny proposals to develop or redevelop public school lands and facilities;
6. Designating all public school lands in the State as a public school redevelopment district and authorizing any public school lands within the district to be identified for redevelopment as a twenty-first century school project;
7. Limiting the allowable number of twenty-first century school projects to an aggregate total of five; and
8. Directing the DOE to adopt administrative rules for the public school redevelopment district that include a community engagement process.

H.B. 865, H.D. 1, Proposed S.D. 1 would:

- a. Establish a three-year pilot program to generate revenue through the lease of public school lands for public purposes;
- b. Establish the school facilities special fund within chapter 302A, HRS;
- c. Repeal the schools facilities special fund in chapter 171C, HRS;
- d. Require the lieutenant governor to submit a report to the legislature; and
- e. Make an appropriation for the pilot program.

We understand the intent of both bills is to allow for the redevelopment of underutilized schools through private investment and development. The challenge is to develop a process for redevelopment that is open, transparent, and competitive to provide the state with the “best value” at the end of the redevelopment effort.

The desired outcomes of this process would likely be:

- a) A new state of the art 21st Century School;
- b) Revenue generations from commercial, office, retail; and
- c) Workforce housing (i.e. Teacher rental units).

The revenue generation and workforce housing outcomes have different investment requirements and returns depending on the market, product type and location, to name just a few variables in real estate development.

In addition, the proposed legislation would require projects to secure all the necessary government approvals and permits. Typically, the use of state owned lands would trigger a document prepared in accordance with Chapter 343, HRS (Environmental Assessment or Environmental Impact Statement). This would include an analysis on the specific site of the flora, fauna, noise, air quality, cultural assessment, economic assessment, and traffic assessments, to name a few. Most school sites would also require re-zoning at the County level because schools are generally identified as “Public Facilities” under County zoning. A zone change to BMX, or some type of hybrid zoning, would be appropriate to allow for a range of mixed uses.

The Chapter 343, HRS, compliance and zoning are usually done prior to when an RFP is issued to select a developer. There is additional risk to the project if the Chapter 343, HRS, compliance and zoning are not done prior to the selection process.

Both bills essentially attempt to establish a process to redevelop underutilized schools. One bill designates DOE/BOE with oversight of the program, while the other bill requires the Lieutenant Governor to “facilitate” the program with DOE/BOE and other agencies.

Perhaps the focus of either bill should be: 1) developing an open, transparent, and competitive process that results in the “Best Value” for DOE/BOE; 2) being as inclusive as possible with public/community involvement; and 3) to provide a level of certainty for an investor/developer. The process would need to address the Chapter 343, HRS, requirements, re-zoning, and a disposition based on “best value” and not necessarily the highest bidder for the lease.

We believe both bills are a step in the right direction, but still needs to specifically address requirements in Chapter 343, HRS, the re-zoning process, and a disposition process that will encourage creative solutions based on “best value” versus the highest bidder for the lease.

Thank you for this opportunity to express our views.



1003 Bishop Street • Suite 765 • Honolulu, HI 96813
Phone: (808) 585-7931 • Fax: 585-7932 • www.hipaonline.com

Senate Committee on Education
Senator Jill Tokuda, Chair
Senator Michelle Kidani, Vice-Chair

HB 865, HD 1: Relating to Public School Redevelopment
HB 865, HD1, Proposed SD1: Relating to Public School Redevelopment

Testimony of
Jeanne Schultz Afuvai
Executive Vice President

Monday, March 18, 2013 at 1:15 p.m.
State Capitol, Conference Room 414

Dear Chair Tokuda, Vice-Chair Kidani and members of the Committee:

The Hawaii Institute for Public Affairs **supports** the intent of both House Bill 865, HD1 and House Bill 865, HD1, Proposed SD1. HIPA specifically supports the establishment of a revolving fund to be administered by the DOE and into which shall be deposited the proceeds from the use of redevelopment of public school lands.

By way of background, in 2009, HIPA initiated the 21st Century Schools Initiative, a research and community-based effort to develop an innovative, systemic, and practicable approach to upgrade and construct 21st century schools on a statewide basis. Recognizing that public funds are severely limited, HIPA is currently engaged in a public-private partnership with the Department of Education and various stakeholders centered on the following outcomes:

- Developing a new revenue source for new school construction and modernization of 21st century schools;
- Initiating a statewide rebuilding and modernization of Hawai'i's aging public schools that foster 21st century teaching and learning;
- Engaging and empowering more than 181,000 students, nearly 14,000 teachers, all communities statewide, and thousands of key stakeholders to support and improve school facilities in Hawai'i;
- Creating approximately 200,000 construction, maintenance, and similar jobs with urban redevelopment and public-private partnerships using vacant and underused public school lands (estimate courtesy of Rebuilding America's Schools Coalition);
- Facilitating statewide urban renewal and provide sources for economic development and security in all communities, while promoting sustainable economic development;
- Ensuring a fair and equal distribution of new revenue sources through a system-wide long-range plan for rebuilding Hawai'i's public school facilities; and
- Lifting student achievement, including among disadvantaged populations in underserved communities.

HIPA remains committed to the 21st Century Schools Initiative and thanks the Legislature for their support.

Thank you for the opportunity to testify on this matter.

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcawhawaii.org
Website: www.gcawhawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

March 18, 2013

TO: HONORABLE JILL TOKUDA, CHAIR, HONORABLE MICHELLE KIDANI,
VICE CHAIR AND MEMBERS OF THE SENATE COMMITTEE ON
EDUCATION

SUBJECT: **SUPPORT OF H.B. 865, HD1 AND PROPOSED SD1, RELATING TO PUBLIC SCHOOL REDEVELOPMENT.** Establishes a three-year pilot program to generate revenue through the lease of public school lands for public purposes. Establishes the school facilities special fund within chapter 302A, HRS. Repeals the schools facilities special fund in chapter 171C, HRS. Requires the lieutenant governor to submit a report to the legislature. Makes an appropriation for the pilot program. (Proposed SD1)

Hearing

DATE: Monday, March 18, 2013
TIME: 1:15 p.m.
PLACE: Conference Room 414

Dear Chair Tokuda, Vice Chair Kidani and Members of the Committee:

The General Contractors Association (GCA) is an organization comprised of over six hundred (600) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

GCA is in support of H.B. 865, HD1, and the Proposed SD1 version, Relating to Public School Redevelopment, which both propose innovative ways to get the State of Hawaii up to speed with 21st Century Schools. GCA's testimony will focus on the Proposed SD1 version which proposes a three-year pilot program within the Office of the Lieutenant Governor to allow for the limited lease of two public school lands and facilities, under the authority of the Department of Education to allow for certain uses, including but not limited to, building and retrofitting twenty-first century schools.

This bill would allow an alternative funding mechanism for the Department of Education, for not only repair and maintenance, but for the improvement of overall school facilities. Twenty-first century schools utilize new and innovative tools that will assist and improve the learning environments for Hawaii's children as we enter into the twenty-first century. This bill takes an affirmative step toward the development of twenty-first century schools a reality for students attending public schools in Hawaii.

There are a number of characteristics that describe a twenty-first century school which support individual project and technology-based learning, including, among other characteristics, special school designs that incorporate flexible spaces; facilities that accommodate community uses during non-school hours and maximize benefits; and natural lighting and good air quality. These are all qualities that would improve the learning environment for Hawaii's children.

GCA is in support of this measure's concept and its commitment to improving public school facilities of Hawaii's children. Accordingly, GCA requests that this Committee pass this measure. Thank you for the opportunity to testify on this bill.

The Senate
The Twenty-Seventh Legislature
Committee on Education
March 18, 2013
Room 414

Statement of the Hawaii Regional Council of Carpenters
On HB 865, HD1, Public School Redevelopment

The Hawaii Regional Council of Carpenters continues to strongly support the development of 21st Century Schools through funds generated by State partnerships redeveloping under-utilized public school lands. Action is called for this year.

Administrative lead agency, procedures and practices must be arrived at, in order to address a dire need. Awareness has grown that school facilities have great impact on learning, in addition to curriculum, the craft of teaching, community support, etc. Hawaii's ranking at the bottom of spending for school facilities calls for new approaches.

It is important that an identifiable fund be dedicated to the development of 21st Century Schools. Such a fund, while initiated with State funds, should then be built by proceeds generated by all development agreements utilizing school sites, whether in the form of lease agreements, or other forms of agreements. Such funds must be an addition to general funding of education, not in place of any portion of those general funds.

The children of our members overwhelmingly attend public schools. Their learning can be enhanced by improved school facilities, with funds generated by multi-use and/or higher density on particular school sites.

Thank you for considering the viewpoint of working carpenters and their families.

Testimony to the Senate Committee on Education

Monday, March 18, 2013

1:15 PM

Conference Room 414

RE: HOUSE BILL NO. 865, HD1 (PROPOSED), RELATING TO PUBLIC SCHOOL REDEVELOPMENT

Chair Tokuda and Vice Chair Kidani, and members of the committee.

My name is Charles Ota and I am the Vice President for Military Affairs at The Chamber of Commerce of Hawaii (The Chamber). I am here to state The Chamber's support of House Bill No. 865, HD1 (Proposed), Relating To Public School Redevelopment.

The measure proposes to establish a three-year pilot program to generate revenue through the lease of public school lands for public purposes. Establishes the school facilities special fund within Chapter 302A, HRS. Repeals the school facilities special fund in Chapter 171C, HRS. Requires the lieutenant governor to submit a report to the legislature. Makes an appropriation for the pilot program.

As we understand this measure, the idea is to lease public school lands to a private developer to generate revenues to be deposited in a school facilities special fund to be used to build or upgrade twenty-first century schools. The idea has merit and could provide the method and financing needed to modernize Hawaii's public school facilities.

A similar idea was approved by the US Congress to upgrade badly deteriorated military residential communities throughout the US. The military estimated that it would take more than 45 years of annual congressional appropriations to replace thousands of badly deteriorated family housing units.

Congress authorized a public-private venture whereby the federal government would leverage funding and development capabilities available to

the private sector by leasing military family housing lands to a private developer that would be contracted to redevelop and manage the military's residential communities. This program enabled the federal government to financially afford completing construction and renovation projects in a timely manner.

In Hawaii, this included modernizing more than 17,000 homes in upwards of ten military residential communities throughout O`ahu. The military contracted two developers, Forest City for the US Navy and Lend Lease for the US Army and US Air Force, to build and renovate the housing units and manage the residential properties for 50 years. The land and property would revert back to the federal government upon completion of the contract.

We agree with the proposal to conduct a three-year test using two school sites to determine the revisions necessary to proceed with completing the project. However, we suggest that consideration be given to first selecting one or two developers for the initial test and allow the developer(s) to select the two test schools from a list of possible schools identified by the DOE and BOE. The project developer(s) would be in the best position to determine the most suitable school test sites and to consult with the DOE, BOE, and community stakeholders in developing the project.

In light of the above, we recommend HB 865, HD 1 (Proposed) be amended accordingly.

Thank you for the opportunity to testify.



March 15, 2013

Senator Jill N. Tokuda, Chair
Senator Michelle N. Kidani, Vice Chair
Senate Committee on Education

Comments and testimony regarding HB 865, HD1, Relating to Twenty-first Century Schools (Establishes framework for the development of twenty-first century schools through the redevelopment of public school lands by the Department of Education [“DOE”]).

Monday, March 18, 2013, 1:15 p.m., in CR 414

The Land Use Research Foundation of Hawaii (“LURF”) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF’s mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii’s significant natural and cultural resources, and public health and safety.

HB 865, HD1. The purpose of this bill is to authorize the State Board of Education (“BOE”) and the DOE to facilitate the redevelopment of public school lands in order to generate income to improve public school facilities and infrastructure to meet the challenges of the twenty-first century.

LURF’s Position. While LURF supports the general intent of HB 865, HD1 and also supports a measured approach to identify, select and pursue pilot or signature school redevelopment projects; it also believes that it is critical that the DOE and the BOE concurrently develop and implement a long-term systemic public-private partnership approach, which emphasizes modernization, energy efficiency, technological integration, efficient land use and community engagement/involvement, and includes a request for proposal process based on other successful public-private partnerships in Hawaii and the United States.

The current version of the bill has removed the Hawaii Community Development Authority (“HCDA”), and established the DOE, as the authority responsible for redeveloping public school lands and facilities, yet the bill still includes overly detailed and proscriptive statutory language which requires the DOE to possess qualifications and experience in planning, architecture, engineering, project management, asset management, land use/zoning regulations, developing and implementing community development plans. LURF is concerned because it appears that the DOE may currently lack the qualifications and experience in planning and development of Twenty-first Century schools and income-producing properties. With all due respect, DOE’s mission is education (not redevelopment) and over the years, there is no record of any DOE expertise or success in redeveloping public school lands, or developing income-producing lands.

LURF nevertheless supports the intent of HB 865, HD1, because the bill looks to and establishes innovative methods through which the State may use its assets to obtain funding to improve public school facilities and infrastructure to benefit Hawaii's public schools and public school children. The measure also recognizes the unmet community development needs of the State, including undercapitalized public school facilities, and the need for the DOE and the BOE, as the authorities responsible for redeveloping public school lands and facilities, to cooperate and partner with private enterprise and the various components of federal, state and county governments in bringing redevelopment plans to fruition.

Perhaps it may be well for this Committee to also explore other models or strategies to attain the objectives sought by this bill, including public-private partnerships which have already proved successful in Hawaii, including the Ford Island project partnership between the U.S. Navy and Hunt Companies. Such arrangements could provide benefits such as community engagement/involvement, appropriate land uses, efficient construction, and near-term and future development of twenty-first century schools without substantial use of taxpayer dollars and legislative appropriations.

Conclusion. LURF supports the intent of HB 865, HD1; the bill's inventive means of utilizing excess and underused assets to generate funding for the benefit of Hawaii's public school children; and encourages this Committee and the Legislature to amend this measure to encourage models and strategies of public private partnerships which have proven successful in Hawaii and the United States.

Thank you for the opportunity to provide comments regarding this measure.



LAND USE RESEARCH
FOUNDATION OF HAWAII

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March 15, 2013

Senator Jill N. Tokuda, Chair
Senator Michelle N. Kidani, Vice Chair
Senate Committee on Education

Comments and testimony in Support of HB 865, SD1 (PROPOSED), Relating to Education and Public School Lands; Leases (Establishes a three-year pilot program to generate revenue through the lease of public school lands for public purposes).

Monday, March 18, 2013, 1:15 p.m., in CR 414

The Land Use Research Foundation of Hawaii (“LURF”) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF’s mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii’s significant natural and cultural resources, and public health and safety.

HB 865, SD1 (Proposed). The purpose of this bill is to optimize the use of public school lands to generate opportunities to improve public school facilities and infrastructure to meet the challenges of the twenty-first century and to improve the overall quality of education in Hawaii. This measure establishes a three-year pilot program to generate revenue from uses for public purposes, and which will lay the groundwork for a statewide plan to optimize public school lands and modernize public school facilities. The Lieutenant Governor, in consultation with the Department of Education (“DOE”), the Board of Education (“BOE”), and any other appropriate agency, shall serve as facilitator of the program. This bill also establishes the school facilities special fund into which all proceeds generated from the lease of public school lands will be deposited for use in building and upgrading twenty-first century school facilities.

LURF’s Position. While LURF supports the general intent of HB 865, HD1, SD1 (Proposed) and also supports a measured approach to identify, select and pursue pilot or signature school redevelopment projects; it also believes that it is critical that the DOE, the BOE and the Lieutenant Governor concurrently develop and implement a long-term systemic public-private partnership approach, which emphasizes modernization, energy efficiency, technological integration, efficient land use and community engagement/involvement, and includes a request for proposal process based on other successful public-private partnerships in Hawaii and the United States.

The current SD1 (Proposed) version of the bill has removed the Hawaii Community Development Authority, and established the Lieutenant Governor as the authority responsible for facilitating the redevelopment of public school lands and facilities, yet the bill still includes overly detailed and proscriptive statutory language which requires the Lieutenant Governor and DOE to possess qualifications and experience in planning, architecture, engineering, project management, asset management, land use/zoning regulations, developing and implementing community development plans. LURF is concerned because it appears that the Lieutenant Governor and DOE may currently lack the qualifications and experience in planning and development of twenty-first century schools and income-producing properties. With all due respect, the Lieutenant Governor has other statutory and policy duties and responsibilities, and DOE's mission is education (not redevelopment). Over the years, there is no record of any Lieutenant Governor or DOE expertise or success in redeveloping public school lands, or developing income-producing lands.

LURF nevertheless supports the intent of HB 865, HD1, SD1 (Proposed), because the bill looks to and establishes innovative methods through which the State may use its assets to obtain funding to improve public school facilities and infrastructure to benefit Hawaii's public schools and public school children. The measure also recognizes the unmet community development needs of the State, including undercapitalized public school facilities, and the need for the Lieutenant Governor, DOE and the BOE, as the authorities responsible for redeveloping public school lands and facilities, to cooperate and partner with private enterprise and the various components of federal, state and county governments in bringing redevelopment plans to fruition.

Perhaps it may be well for this Committee to also explore other models or strategies to attain the objectives sought by this bill, including public-private partnerships which have already proved successful in Hawaii, including the Ford Island project partnership between the U.S. Navy and Hunt Companies. Such arrangements could provide benefits such as community engagement/involvement, appropriate land uses, efficient construction, and near-term and future development of twenty-first century schools without substantial use of taxpayer dollars and legislative appropriations.

Conclusion. LURF supports the intent of HB 865, HD1, SD1 (Proposed); the bill's inventive means of utilizing excess and underused assets to generate funding for the benefit of Hawaii's public school children; and encourages this Committee and the Legislature to amend this measure to encourage models and strategies of public private partnerships which have proven successful in Hawaii and the United States.

Thank you for the opportunity to provide comments regarding this measure.



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON EDUCATION

March 18, 2013, 1:15 P.M.
(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF HB 865, HD1 PROPOSED SD1

Aloha Chair Tokuda and Members of the Committee:

The Sierra Club, Hawai'i Chapter, with 10,000 dues-paying members and supporters, *supports* the proposed SD1 of HB 865 HD1. This measure establishes a three-year pilot program to generate revenue through leasing of school land.

We appreciate this measure respects existing environmental and land use policy and encourages community participation.

It's been said that "we're all in the same canoe." To this end, it's important that everyone has an opportunity to know about the projects proposed on public land and a chance to suggest improvements. Smart planning ensures that the public and the counties can suggest ways to improve projects to save money, protect natural resources, and satisfy community concerns. Ultimately, we save money in the long-term by preventing fool-hardy and short-sighted decisions.

Mahalo for the opportunity to testify.

841 Bishop St., Suite 301
Honolulu, Hawaii 96813



Telephone: 808 926-1530
Contact@HEECoalition.org

Senate Committee on Education
Senator Jill Tokuda, Chair
Senator Michelle Kidani, Vice Chair

March 18, 2013

Dear Chair Tokuda, Vice Chair Kidani, and Committee Members:

This testimony is submitted in support of HB865 with suggested amendments.

The Hui for Excellence in Education (HE'E) is a diverse coalition of over 40 parent and community organizations dedicated to improving student achievement by increasing family and community engagement and partnerships in our schools. Our member list is attached.

The Coalition has been following the issue of our aging facilities and the need to find creative solutions to finance and rebuild our schools. The Coalition has hosted several speakers discussing 21st Century School design, mainland efforts to address school facilities, and local organizations working to find creative options. We are very pleased to see the legislature support the concept of using underutilized school lands to fund new school construction statewide.

We would ask that the Committee consider the following amendments in moving the bill along:

1. Specify that the program include the development of design specifications for 21st Century Schools.
2. Specify that school and community engagement (specifically, parents/guardians or parent/ohana groups, teachers, principals, business and community members of impacted area) be a required component of all projects both in the design and development of new schools and in the proposed uses on the leased lands
3. Specify that uses on the underutilized school lands be compatible with surrounding land use and zoning (some school property may need zone changes

- to be redeveloped and the proposed zoning should be compatible with the surrounding existing zoning designations)
4. Specify that early learning centers along with K-12 facilities could be included in the projects.

We also support allocation of funds to this project.

We would be glad to work with the legislature, Department of Education, Board of Education, and any other appropriate agencies to make this effort successful.

Thank you for the opportunity to testify and for your consideration.

Our support of this bill represents a 75% consensus or more of our membership. While the majority of the Coalition members supported this bill, Parents for Public Schools and Faith Action for Community Equity could not come to a consensus to support this position.

Sincerely,

Cheri Nakamura
HE'E Coalition Director

HE'E Member List

Academy 21

After-School All-Stars Hawaii

Alliance for Place Based Learning

*Castle Complex Community Council

Center for Civic Education

Coalition for Children with Special Needs

*DOE Windward District

*Faith Action for Community Equity

Fresh Leadership LLC

Girl Scouts Hawaii

*Good Beginnings Alliance

Harold K.L. Castle Foundation

*Hawaii Appleseed Center for Law and Economic Justice

Hawai'i Athletic League of Scholars

*Hawai'i Charter School Network

*Hawai'i Education Matters

*Hawai'i Nutrition and Physical Activity Coalition

*Hawaii State PTSA

Hawai'i State Student Council

Hawai'i State Teachers Association

Hawai'i P-20

Hawai'i 3Rs

Head Start Collaboration Office

It's All About Kids

*INPEACE

Joint Venture Education Forum

Kamehameha Schools

*Kanu Hawai'i

Kupu A'e

*Leaders for the Next Generation

McREL's Pacific Center for Changing the Odds

*Our Public School

*Pacific Resources for Education and Learning

*Parents and Children Together

*Parents for Public Schools Hawai'i

Punahou School PUEO Program

Teach for America

The Learning Coalition

US PACOM

University of Hawai'i College of Education

YMCA of Honolulu

Voting Members (*)

From: [Robert Petricci](#)
To: [EDU Testimony](#)
Subject: Testimony HB865 EDU 414 Mar 18, 2013 1:15 PM
Date: Monday, March 18, 2013 12:00:18 AM

EDU 414 Mar 18, 2013 1:15 PM

RE: HB865

Position: Strong Opposition

Robert Petricci

Representing Puna Pono Alliance

Aloha

Senator Jill N. Tokuda, Chair, Senator Michelle N. Kidani, Vice Chair, and committee members.

Puna Pono Alliance opposes programs that generate revenue through the lease of public school lands for public purposes. We do not think having a McDonalds, or 7-11's for example on our school lands will enhance education.

It would be much more appropriate to cut the fat in the top heavy DOE administration cost and use the charter school model such as HAAS in Pahoia that operate on far less money than the public schools while producing very impressive returns. Then to prostitute our school lands.

This is another PLDC wolf bill in sheep's clothing bill. It really is shocking that our schools and our education system are being used as pawns in an attempt to get around public opposition to the use of our public lands to benefit private corporate interest.

The public has spoken clearly we overwhelmingly oppose these PLDC type schemes.

Puna Pono Alliance stands in solidarity with the HA groups and others across this state that oppose this type of legislation.

Please join us and hold HB865.

Thank you for your consideration.

Robert Petricci
President Puna Pono Alliance

Scott K. Parker
3175 Waialae Avenue, Apt 801
Honolulu, HI 96816

15 March 2013

The Honorable Jill N. Tokuda, Chair
State of Hawai`i
Senate
Committee on Education

Chairman Tokuda:

I would like to thank you for giving me the time to share my thoughts related to HB 865, HD1, related to Public School Redevelopment, and twenty-first century schools.

As a taxpayer, but more importantly as a Principal with the Department of Education, I support HB 865, HD1, and the basis for its implementation and the benefits it will provide the department and the students. Serving as Principal of Jefferson Elementary School in Waikiki, I know first-hand the utilization of a large piece of valuable real estate in Hawai`i. That being said however, I also realize the potential that such real estate has to enable the Department of Education and the State of Hawai`i to provide our students with cutting-edge, technologically rich, and environmentally sound classrooms and buildings.

The benefits of generating income that can be directed to the building, repair, and maintenance of school and school facilities are really “no brainers” for me. And, contrary to those who feel this is a “land-grab” by the state – I counter with the following:

- As long as HB 865 retains ownership of the land to the State of Hawai`i and does not provide title to any private individual, the taxpayers will never lose out on a potential revenue source. Much like the Kamehameha Schools who has built their portfolio on land-lease projects – which generate a significant amount of funding for the education entity – the State can follow a similar model
- Given that Hawai`i is made up of islands, our buildable land space is limited. It is in the State’s best interest – and in this case – the students of our community – to utilize state land to generate income that can be used to build, repair, and maintain our schools to 21st century and LEED standards. With over \$266 million in repair and maintenance backlogs and \$620 million in capital improvement needs, the Department and our students deserve an alternative that does not put the taxpayer in any situation of bearing a bigger burden.
- This bill and any amendments should include protections to the city and counties in the State that will enable them and affected communities to follow established development, building, and permitting processes just as any other private individual must when seeking to construct or develop real estate. This will ensure that the State is working not only in the best interest of its students, but the communities in which they live.

I humbly ask for your support of HB 865, HD1, so that the State, the Department of Education, and our students and taxpayers have an alternative to providing the best in facilities and gaining additional revenue all the while retaining sole ownership of the land for perpetuity.

Should you have any questions, please feel free to contact me at the address above, via email at: parker96768@yahoo.com or via phone at: 808-344-2761.

Very Sincerely,

A handwritten signature in blue ink, appearing to read "Scott K. Parker", with a long horizontal flourish extending to the right.

Scott K. Parker

From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: tabraham08@gmail.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 3:56:10 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments: i support passage of bill to upgrade and evolve all public schools

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To: [EDU Testimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Thursday, March 14, 2013 5:07:04 PM

HB865

Submitted on: 3/14/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Oppose	No

Comments:

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To: [EDU Testimony](#)
Cc: jeannine@hawaii.rr.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Saturday, March 16, 2013 3:48:29 PM

HB865

Submitted on: 3/16/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: athurston@irmt.org
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Saturday, March 16, 2013 9:42:40 PM

HB865

Submitted on: 3/16/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Thurston	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: henry.lifeoftheland@gmail.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Sunday, March 17, 2013 10:46:57 AM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Henry Curtis	Life of the Land	Oppose	No

Comments:

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To: [EDU Testimony](#)
Cc: vsc@hawaiiantel.net
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 11:02:49 AM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Cannon	Individual	Oppose	No

Comments: Leave our students and their campuses alone. Stop trying to feed your greed.

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From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: barbarapolk@hawaiiantel.net
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 2:39:36 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara B. Polk	Individual	Oppose	No

Comments: I urge you to hold both versions of HB 865 for further consideration over the next year. I greatly fear that the bill is being sold on the basis of a slogan "Twenty-first Century Schools", when it would appear that the plan is to develop multistory schools similar to the early 20th century school that I attended. I also do not believe that "workforce housing" in any way benefits the education of students, and may, in fact, subject them to danger from greater population and traffic density. I am also concerned that school lands are hardly "unused", or should not be--land around a school is typically used for playgrounds and in recent years, for gardening by the students--a very important part of 21st century education and a necessity for a sustainable future for Hawaii! There may be an appropriate type of public/private partnership for repair and rebuilding of schools, but I believe it takes much more public education and discussion before a bill that alienates school lands from the public for 55 years is passed! Please defeat or hold both HB 865 HD1 and proposed HB865 SD1.

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To: [EDU Testimony](#)
Cc: anthuriumz@hotmail.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 10:00:37 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Wynnie Hee	Individual	Oppose	No

Comments: Although it sounds good, to bring our school buildings into the 21st century, this bill is too vague -- what school lands do the interests behind this bill have in mind? -- and gives the decision making power to the all-powerful HCDA, which I have already witnessed in action. Do you remember the outcry over the Symphony Condo tower alignment variance last year? All of the decision makers on the board of HCDA except for one IGNORED the voices of the public who testified AGAINST allowing the variance, including the voice of Gov. Abercrombie's wife who testified against it. HCDA, as my Senator Don Dela Cruz has said, is just like a mini PLDC, with all its powers above and beyond state and city rules. This bill has the same outrageous problems as the infamous PLDC. Please do NOT allow it to pass.

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To: [EDU Testimony](#)
Cc: fotiipmk@hawaii.rr.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 3:13:07 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Mollie Foti	Individual	Oppose	No

Comments: I am adamantly against using our public school lands for purposes other than for education. Let us not trade our birthright (school lands) for a mess of pottage (quick funds for the government). Thank you.

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To: [EDU Testimony](#)
Cc: sundownertoni@yahoo.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 3:40:50 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Individual	Oppose	No

Comments: Why can't you just put PLDC in the trash bin where it belongs. Do not pull out any of it and put the future of our school grounds in the hands of a few with no adequate review of decisions that affect our children. Dump PLDC. Dump this bill also.

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From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: jemray@hawaii.rr.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 9:02:47 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Murray	Individual	Oppose	No

Comments: OPPOSE HB865 Mahalo Talk to any DOE employee. 'Nuff said.

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To: [EDU Testimony](#)
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Sunday, March 17, 2013 9:19:33 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Oppose	No

Comments:

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To: [EDU Testimony](#)
Cc: OccupyHiloMedia@yahoo.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Sunday, March 17, 2013 9:29:21 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Kerri Marks	Individual	Oppose	No

Comments:

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To: [EDU Testimony](#)
Cc: brksilva@gmail.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Sunday, March 17, 2013 10:01:55 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Bronson K. Silva	Individual	Oppose	No

Comments:

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To: [EDU Testimony](#)
Cc: momishells@msn.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 10:17:34 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Subiono	Individual	Oppose	No

Comments: There is no Treaty of Annexation. This is a crime. You can't even afford the schools you have today.

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To: [EDU Testimony](#)
Cc: fernnygirl@yahoo.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Sunday, March 17, 2013 10:40:30 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Fern Rosenstiel	Individual	Oppose	No

Comments:

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Cc: shannonkona@gmail.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Sunday, March 17, 2013 11:11:34 PM

HB865

Submitted on: 3/17/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Oppose	No

Comments: If it looks like a duck, quacks like a duck... it's probably a duck. Please google "Failed Public Private Partnerships; the taxpayer often times gets the shaft. Lipstick won't help this pig of a bill.

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To: [EDU Testimony](#)
Cc: ewabond@gmail.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Monday, March 18, 2013 12:40:23 AM

HB865

Submitted on: 3/18/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
John Bond	Individual	Oppose	No

Comments: HB 865 HD 1 proposed SD1 raises more questions than provides answers and sounds like a vague, dangerous scheme to manipulate public real estate and possibly build vaguely described highrise(?) schools? This bill really sounds a stealth scheme for something else which isn't well defined. Kill it. John Bond

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Cc: leiahi@me.com
Subject: Submitted testimony for HB865 on Mar 18, 2013 13:15PM
Date: Monday, March 18, 2013 3:19:57 AM

HB865

Submitted on: 3/18/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Wong	Individual	Oppose	No

Comments: I strongly oppose HB865 HD1 proposed SD1 and all other PLDC etc. clones!!!

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To: [EDU Testimony](#)
Cc: bmurphy420@mail.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Monday, March 18, 2013 6:17:45 AM

HB865

Submitted on: 3/18/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
brian Murphy	Individual	Oppose	No

Comments:

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Cc: Patriciablair@msn.com
Subject: *Submitted testimony for HB865 on Mar 18, 2013 13:15PM*
Date: Monday, March 18, 2013 6:46:54 AM

HB865

Submitted on: 3/18/2013

Testimony for EDU on Mar 18, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Oppose	No

Comments:

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