

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL REDEVELOPMENT.

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

1           SECTION 1. The legislature finds that one of the major  
2 challenges for education is that our long-term physical  
3 infrastructure for schools does not keep up with the evolving  
4 research on learning and facility design or technological  
5 advances. While the flow of information and ideas is  
6 increasingly fluid, students are locked into physical structures  
7 that do not reflect our modern information and technology age.  
8 Building, repairing, and retrofitting, and constructing our  
9 public schools to meet the challenges of the twenty-first  
10 century will not be easy, and the costs will be considerable.  
11 However, quality school facilities can create an environment  
12 that will facilitate student achievement to prepare Hawaii's  
13 children to succeed in careers and college in the highly  
14 competitive global economy.

15           The legislature further finds that Hawaii's public school  
16 facilities, with an average age of sixty-five years, are  
17 inadequate to maximize twenty-first century learning  
18 opportunities. Most public schools are built on horizontal

1 designs that tend to be expansive campuses. Such school  
2 configurations, in addition to hampering pedagogical methods,  
3 such as smaller learning communities and project-based learning,  
4 are not necessarily compatible with modern school facility  
5 designs. More modern layouts for twenty-first century schools  
6 can be more compact, enabling efficiencies in technology, energy  
7 use, security and grounds maintenance, more effective use of  
8 land, and improved sustainability for Hawaii communities.

9       Furthermore, while legislative funding has enabled a steady  
10 reduction in the department of education's repair and  
11 maintenance backlog in the last decade, the department continues  
12 have outstanding repair and maintenance needs, and many  
13 facilities have been ignored due to limited budgets. This year,  
14 the department reported that it has \$266,000,000 in repair and  
15 maintenance backlog as of this year and for the upcoming  
16 biennium, \$620,975,000 in prioritized capital improvement needs.  
17 In addition, the department projects a need to construct 11 new  
18 schools in growing communities over the next six years. Despite  
19 significant reduction in the repair and maintenance backlog,  
20 down from \$700 million a decade ago, year after year, the  
21 department's need for funding school facilities - either new  
22 construction, capital improvements, or repair and maintenance -

1 continues to exceed historical appropriations that have been  
2 limited due to budget constraints.

3       The 21<sup>st</sup> Century School Fund, a national public policy  
4 institute, reported that Hawaii ranked last in the United  
5 States, including the District of Columbia, for per-student  
6 capital expenditures. In 2010, Hawaii spent \$298 per student on  
7 school capital expenditures, compared with a national average of  
8 over \$1,000 per student. Despite the need to modernize public  
9 school facilities statewide, government is left with inadequate  
10 funding for repair and maintenance or necessary investments for  
11 new or upgraded facilities to meet competitive and modern  
12 demands of twenty-first century learning. Thus in the 2012  
13 legislative session, legislature appropriated funds for DOE to  
14 conduct strategic planning for facilities.

15       The legislature recognizes that because public funds to  
16 meet school facilities needs are severely limited, a new,  
17 innovative approach is needed to complement traditional general  
18 fund appropriations to bring Hawaii's public schools into the  
19 twenty-first century. The public school lands of the state's two  
20 hundred fifty-four school campuses, some of which are considered  
21 underutilized, are an untapped resource. Public private  
22 partnerships to use these lands differently would provide

1 opportunities for the State to use available lands to enable  
2 twenty-first century facilities. Leasing the underutilized lands  
3 can generate income to upgrade existing schools or construct new  
4 schools to twenty-first century standards and opportunities. By  
5 engaging in public-private partnerships, refocusing uses of  
6 these properties will support community-driven redevelopment and  
7 help communities make better use of land while increasing  
8 educational and economic opportunities for the benefit of  
9 Hawaii's public school children. Any use of public lands must  
10 be compatible with and provide benefits to the surrounding  
11 community. Teachers, administrators, students, parents,  
12 community residents and other stakeholders must play a  
13 meaningful role in the planning, design and partnership between  
14 the school and surrounding community.

15 Lastly, the legislature notes that the Hawaii community  
16 development authority was created by the legislature in 1976 to  
17 redevelop underutilized designated community development  
18 districts, such as Kakaako and Kalaeloa, by promoting and  
19 coordinating public and private sector community development.  
20 With its proven track record in engaging in public-private  
21 partnerships to maximize the use of public lands under its  
22 jurisdiction, the legislature finds that the Hawaii community

1 development authority is the appropriate entity to carry out the  
2 redevelopment of public school lands, in conjunction with the  
3 department of education, to facilitate the construction of  
4 twenty-first century learning facilities.

5 The purpose of this Act is to grant the Hawaii community  
6 development authority the responsibility to facilitate the  
7 redevelopment of public school lands in order to generate income  
8 to improve public school facilities and infrastructure to meet  
9 the challenges of the twenty-first century.

10 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is  
11 amended by adding a new part to be appropriately designated and  
12 to read as follows:

13 **"PART . TWENTY-FIRST CENTURY SCHOOLS**

14 **§206E- Definitions.** As used in this part:

15 "Public school lands" means all lands under the management  
16 of the department of education on or after July 1, 2013, that  
17 are used or dedicated for use for kindergarten, elementary, and  
18 secondary schools, and other facilities, including public  
19 libraries. "Public school lands" shall not include lands owned  
20 by the federal government, or any private person or entity.

21 "Public school facilities redevelopment" includes the  
22 modernization and construction of public schools, the use or

1 lease of public school lands that are not required for the use  
2 of public schools, and the development of lands associated with  
3 the redevelopment of public school lands.

4       **§206E- Twenty-first century schools; authorization to**  
5 **develop public school lands.** (a) The authority shall be the  
6 designated agency of the state to implement this part.

7       (b) The authority shall act as the redevelopment authority  
8 to facilitate the redevelopment of certain public school lands  
9 as identified by the department of education and authorized by  
10 the board of education. The redevelopment of public school  
11 lands shall be in accordance with the powers and process of the  
12 authority as set forth in this chapter.

13       **§206E- Public school facilities redevelopment guidance**  
14 **policies.** The following development guidance policies shall  
15 generally govern the authority's action in the redevelopment of  
16 public school lands:

17       (1) The redevelopment of public school lands shall be a  
18 means to advance public education and student  
19 achievement by funding, modernizing, and constructing  
20 twenty-first century schools;

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- 1           (2) The authority shall consult with the department of  
2           education on the design and building specifications  
3           when redeveloping public schools;
- 4           (3) Modernizing and constructing new public schools shall  
5           utilize energy efficiency and other sustainability  
6           measures, use available land efficiently, maximize  
7           student safety, and offer the community multiple use  
8           of existing structures;
- 9           (4) New public schools shall be equipped with the latest  
10          in technology to facilitate teaching and learning;
- 11          (5) Classrooms may feature flexible and adaptable floor  
12          plans based on research and effective practices; and
- 13          (6) A community engagement process shall be integrated as  
14          part of the authority's redevelopment activities.

15          **§206E-        Twenty-first century school sites and criteria;**  
16          **department of education.** (a) The department of education shall  
17          establish minimum criteria and standards for twenty-first  
18          century school projects.

19          (b) The department of education shall identify specific  
20          sites that may be used for twenty-first century school projects  
21          and shall coordinate with the department of accounting and

1 general services and the authority for the development of these  
2 sites.

3       **§206E- Proceeds from public school lands.** Proceeds  
4 from the use or redevelopment of public school lands shall be  
5 deposited into the school facilities special fund established  
6 under section 171C-21, less any costs incurred by the authority  
7 for the use or redevelopment of public school lands under this  
8 part."

9       SECTION 3. Section 171C-21, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11       “(a) There is established a school facilities special fund  
12 into which shall be deposited all proceeds from leases, permits,  
13 interest income generated from public school lands and  
14 facilities, including proceeds derived from part of chapter  
15 206E, and other revenue generated from the non-permanent  
16 disposition of public school lands and facilities under this  
17 chapter, less the following:

18       (1) The principal and interest on bonds issued pursuant to  
19 this chapter or part of chapter 206E for projects on  
20 public school lands or utilizing public school  
21 facilities;



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1           (2) The cost of administering, operating, and maintaining  
2           projects on public school lands or utilizing public  
3           school facilities, not to exceed fifteen per cent of  
4           the sums collected, net of principal and interest  
5           payments on bonds; and

6           (3) Other sums that may be necessary for the issuance of  
7           bonds under this chapter~~[ ]~~ or part of chapter  
8           206E."

9           SECTION 4. Section 206E-1, Hawaii Revised Statutes, is  
10          amended to read as follows:

11          "**§206E-1 Findings and purpose.** The legislature finds that  
12          many areas of the State are substantially undeveloped, blighted,  
13          or economically depressed, and are or are potentially in need of  
14          renewal, renovation, or improvement to alleviate such conditions  
15          as dilapidation, deterioration, age, and other such factors or  
16          conditions which make such areas an economic or social  
17          liability.

18          The legislature further finds that there exists within the  
19          State vast, unmet community development needs. These  
20          include, but are not limited to, undercapitalized public school  
21          facilities; a lack of suitable affordable housing; insufficient  
22          commercial and industrial facilities for rent; residential areas

1 which do not have facilities necessary for basic liveability,  
2 such as parks and open space; and areas which are planned for  
3 extensive land allocation to one, rather than mixed uses.

4 It is further determined that the lack of planning and  
5 coordination in such areas has given rise to these community  
6 development needs and that existing laws and public and private  
7 mechanisms have either proven incapable or inadequate to  
8 facilitate timely redevelopment and renewal.

9 The legislature finds that a new and comprehensive  
10 authority for public school facilities and community development  
11 must be created to join the strengths of private enterprise,  
12 public development and regulation into a new form capable of  
13 long-range planning and implementation of improved community  
14 development. The purpose of this chapter is to establish such a  
15 mechanism in the Hawaii community development authority, a  
16 public entity which shall determine public school facilities  
17 redevelopment and community development programs and cooperate  
18 with private enterprise and the various components of federal,  
19 state, and county governments in bringing plans to  
20 fruition. For such public school lands and areas designated as  
21 community development districts, the legislature believes that  
22 the planning and implementation program of the Hawaii community

1 development authority will result in communities which serve the  
2 highest needs and aspirations of Hawaii's people.

3 The legislature finds that the creation of the Hawaii  
4 community development authority, the establishment of community  
5 development districts, the establishment of public school  
6 facilities redevelopment sites, and the issuance of bonds  
7 pursuant to this chapter to finance public facilities serve the  
8 public interest and are matters of statewide concern."

9 SECTION 5. Section 206E-3, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11 "(b) The authority shall consist of nine voting members  
12 for each community development district established in this  
13 chapter. The director of finance, the director of business,  
14 economic development, and tourism, the comptroller, and the  
15 director of transportation, or their respective designated  
16 representatives, shall serve as ex officio, voting members of  
17 the authority; provided that, in addition:

18 (1) A cultural expert shall be appointed by the governor  
19 pursuant to section 26-34 as a voting member;

20 (2) One member shall be appointed by the governor pursuant  
21 to section 26-34 as a voting member; provided further

1           that this paragraph shall not apply to the Kalaeloa  
2           community development district; and

3           (3) The chairperson of the Hawaiian homes commission or  
4           the chairperson's designee, shall serve as an ex  
5           officio, voting member for the Kalaeloa community  
6           development district only, shall be considered in  
7           determining quorum and majority only on issues  
8           relating to the Kalaeloa community development  
9           district, and shall vote only on issues relating to  
10          the Kalaeloa community development district.

11          Three additional members, hereinafter referred to as county  
12          members, shall be selected by the governor from a list of ten  
13          prospective appointees recommended by the local governing body  
14          of the county in which each designated district is situated;  
15          provided that when vacancies occur in any of the three positions  
16          for which the members were selected from a list of county  
17          recommendations, the governor shall fill such vacancies on the  
18          basis of one from a list of four recommendations, two from a  
19          list of seven recommendations, or three from a list of ten  
20          recommendations. The list of recommendations shall be made by  
21          the local governing body of the county. Of the three members  
22          appointed as county members recommended by the local governing

1 body of the county in which each designated district is  
2 situated, two members shall represent small businesses and shall  
3 be designated as the small business representatives on the board  
4 whose purpose, among other things, is to vote on matters before  
5 the board that affect small businesses. The small business  
6 representatives shall be owners or active managers of a small  
7 business with its principal place of operation located within  
8 the physical boundaries of each designated  
9 district. Notwithstanding section 84-14(a), the small business  
10 representatives may vote on any matter concerning any district  
11 under the board's jurisdiction other than matters concerning the  
12 Heeia community development district; provided that the matter  
13 is not limited to solely benefiting the specific interest of  
14 that member and the matter concerns broader interests within the  
15 district. One of the county members shall be a resident of the  
16 designated district; provided that for purposes of this section,  
17 the county member who is a resident of the Kalaeloa community  
18 development district shall be a resident of the Ewa zone (zone  
19 9, sections 1 through 2), or the Waianae zone (zone 8, sections  
20 1 through 9) of the first tax map key division. The county  
21 members shall be considered in determining quorum and majority  
22 only on issues not relating to the Heeia community development

1 district and may only vote on issues not related to the Heeia  
2 community development district.

3 Three additional voting members shall be appointed to the  
4 authority by the governor pursuant to section 26-34 to represent  
5 the Heeia community development district. These three members  
6 shall be considered in determining quorum and majority only on  
7 issues relating to the Heeia community development district and  
8 may vote only on issues related to the Heeia community  
9 development district. The three members shall be residents of  
10 the Heeia community development district or the Koolaupoko  
11 district which consists of sections 1 through 9 of zone 4 of the  
12 first tax map key division.

13 Seven additional voting members shall, except as otherwise  
14 provided in this subsection, be appointed to the authority by  
15 the governor pursuant to section 26-34 on matters related to  
16 public school facilities redevelopment. These members shall be  
17 considered in determining quorum and majority only on issues  
18 relating to public school facilities redevelopment, and may vote  
19 only on issues relating to public school facilities  
20 redevelopment. The seven members shall consist of the  
21 superintendent of education, or the superintendent's designee; a

1 school design specialist; a Hawaiian cultural specialist; and  
2 four at-large members.

3 If an additional district is designated by the legislature,  
4 the governor shall appoint three county members as prescribed  
5 above for each additional designated district.

6 Notwithstanding section 92-15, a majority of all members  
7 shall constitute a quorum to do business, and the concurrence of  
8 a majority of all members shall be necessary to make any action  
9 of the authority valid; except as provided in this  
10 subsection. All members shall continue in office until their  
11 respective successors have been appointed and qualified. Except  
12 as herein provided, no member appointed under this subsection  
13 shall be an officer or employee of the State or its political  
14 subdivisions.

15 For purposes of this section, "small business" means a  
16 business which is independently owned and which is not dominant  
17 in its field of operation."

18 SECTION 6. Section 206E-4, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§206E-4 Powers; generally.** Except as otherwise limited  
21 by this chapter, the authority may:

22 (1) Sue and be sued;

- 1           (2) Have a seal and alter the same at pleasure;
- 2           (3) Make and execute contracts and all other instruments  
3           necessary or convenient for the exercise of its powers  
4           and functions under this chapter;
- 5           (4) Make and alter bylaws for its organization and  
6           internal management;
- 7           (5) Make rules with respect to its projects, operations,  
8           properties, and facilities, which rules shall be in  
9           conformance with chapter 91;
- 10          (6) Through its executive director appoint officers,  
11          agents, and employees, prescribe their duties and  
12          qualifications, and fix their salaries, without regard  
13          to chapter 76;
- 14          (7) Prepare or cause to be prepared a community  
15          development plan for all designated community  
16          development districts[+] and public school facilities;
- 17          (8) Acquire, reacquire, or contract to acquire or  
18          reacquire by grant or purchase real, personal, or  
19          mixed property or any interest therein; to own, hold,  
20          clear, improve, and rehabilitate, and to sell, assign,  
21          exchange, transfer, convey, lease, or otherwise  
22          dispose of or encumber the same;



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- 1           (9) Acquire or reacquire by condemnation real, personal,  
2                    or mixed property or any interest therein for public  
3                    facilities, including but not limited to streets,  
4                    sidewalks, parks, schools, and other public  
5                    improvements;
- 6           (10) By itself, or in partnership with qualified persons,  
7                    acquire, reacquire, construct, reconstruct,  
8                    rehabilitate, improve, alter, or repair or provide for  
9                    the construction, reconstruction, improvement,  
10                  alteration, or repair of any project; own, hold, sell,  
11                  assign, transfer, convey, exchange, lease, or  
12                  otherwise dispose of or encumber any project, and in  
13                  the case of the sale of any project, accept a purchase  
14                  money mortgage in connection therewith; and repurchase  
15                  or otherwise acquire any project which the authority  
16                  has theretofore sold or otherwise conveyed,  
17                  transferred, or disposed of;
- 18          (11) Arrange or contract for the planning, replanning,  
19                  opening, grading, or closing of streets, roads,  
20                  roadways, alleys, or other places, or for the  
21                  furnishing of facilities or for the acquisition of

- 1 property or property rights or for the furnishing of  
2 property or services in connection with a project;
- 3 (12) Grant options to purchase any project or to renew any  
4 lease entered into by it in connection with any of its  
5 projects, on such terms and conditions as it deems  
6 advisable;
- 7 (13) Prepare or cause to be prepared plans, specifications,  
8 designs, and estimates of costs for the construction,  
9 reconstruction, rehabilitation, improvement,  
10 alteration, or repair of any project, and from time to  
11 time to modify such plans, specifications, designs, or  
12 estimates;
- 13 (14) Provide advisory, consultative, training, and  
14 educational services, technical assistance, and advice  
15 to any person, partnership, or corporation, either  
16 public or private, to carry out the purposes of this  
17 chapter, and engage the services of consultants on a  
18 contractual basis for rendering professional and  
19 technical assistance and advice;
- 20 (15) Procure insurance against any loss in connection with  
21 its property and other assets and operations in such  
22 amounts and from such insurers as it deems desirable;

- 1           (16) Contract for and accept gifts or grants in any form  
2                    from any public agency or from any other source;
- 3           (17) Do any and all things necessary to carry out its  
4                    purposes and exercise the powers given and granted in  
5                    this chapter;
- 6           (18) Allow satisfaction of any affordable housing  
7                    requirements imposed by the authority upon any  
8                    proposed development project through the construction  
9                    of reserved housing, as defined in section 206E-101,  
10                  by a person on land located outside the geographic  
11                  boundaries of the authority's jurisdiction; provided  
12                  that the authority shall not permit any person to make  
13                  cash payments in lieu of providing reserved housing,  
14                  except to account for any fractional unit that results  
15                  after calculating the percentage requirement against  
16                  residential floor space or total number of units  
17                  developed. The substituted housing shall be located  
18                  on the same island as the development project and  
19                  shall be substantially equal in value to the required  
20                  reserved housing units that were to be developed on  
21                  site. The authority shall establish the following  
22                  priority in the development of reserved housing:

- 1 (A) Within the community development district;
- 2 (B) Within areas immediately surrounding the
- 3 community development district;
- 4 (C) Areas within the central urban core;
- 5 (D) In outlying areas within the same island as the
- 6 development project.

7 The Hawaii community development authority shall adopt  
8 rules relating to the approval of reserved housing  
9 that are developed outside of a community development  
10 district. The rules shall include, but are not  
11 limited to, the establishment of guidelines to ensure  
12 compliance with the above priorities; and

- 13 (19) Assist the public land development corporation
- 14 established by section 171C-3 in identifying public
- 15 lands that may be suitable for development, carrying
- 16 on marketing analysis to determine the best revenue-
- 17 generating programs for the public lands identified,
- 18 entering into public-private agreements to
- 19 appropriately develop the public lands identified, and
- 20 providing the leadership for the development,
- 21 financing, improvement, or enhancement of the selected
- 22 development opportunities; provided that no assistance

1           shall be provided unless the authority authorizes the  
2           assistance."

3           SECTION 7. Section 206E-6, Hawaii Revised Statutes, is  
4 amended by amending subsection (g) to read as follows:

5           "(g) All sums collected under this section shall be  
6 deposited in the Hawaii community development revolving fund  
7 established by section 206E-16; except that notwithstanding  
8 section 206E-16, all moneys collected on account of assessments  
9 and interest thereon for any specific public facilities financed  
10 by the issuance of bonds shall be set apart in a separate  
11 special fund and applied solely to the payment of the principal  
12 and interest on these bonds, the cost of administering,  
13 operating, and maintaining the program, the establishment of  
14 reserves, and other purposes as may be authorized in the  
15 proceedings providing for the issuance of the bonds. If any  
16 surplus remains in any special fund after the payment of the  
17 bonds chargeable against such fund, it shall be credited to and  
18 become a part of the Hawaii community development revolving  
19 fund. Moneys in the Hawaii community development revolving fund  
20 may be used to make up any deficiencies in the special fund.  
21 Costs incurred by the authority for projects under part    of

1 this chapter shall be reimbursed by the school facilities  
2 special fund established under section 171C-21."

3 SECTION 8. Section 206E-8, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:


5 "(a) Any provision of chapter 171 to the contrary  
6 notwithstanding, the governor may set aside public lands located  
7 within community development districts and public school lands  
8 to the authority for its use."

9 SECTION 9. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so  
11 much thereof as may be necessary for fiscal year 2013-2014 and  
12 the same sum or so much thereof as may be necessary for fiscal  
13 year 2014-2015 for purposes of implementing this Act.

14 The sums appropriated shall be expended by the Hawaii  
15 community development authority.

16 SECTION 10. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 11. This Act shall take effect on July 1, 2013.

19  
20 INTRODUCED BY: 

21 BY REQUEST

S.B. NO. 1096

**Report Title:**

Twenty-first Century Schools; HCDA

**Description:**

Establishes framework for the development of twenty-first century schools through the redevelopment of public school lands by the Hawaii Community Development Authority.

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

JUSTIFICATION SHEET

DEPARTMENT: Office of the Governor

TITLE: A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL REDEVELOPMENT.

PURPOSE: To establish a framework for the development of twenty-first century schools through the redevelopment of public school lands by the Hawaii Community Development Authority (HCDA).

MEANS: Grant HCDA the authority the responsibility to facilitate the redevelopment of public school lands to generate income to improve public school facilities and infrastructure. Appropriate general funds.

JUSTIFICATION: One of the major challenges for education is that our long-term physical infrastructure for schools does not keep up with the evolving research on learning and facility design or technological advances. While the flow of information and ideas is increasingly fluid, students are locked into physical structures that do not reflect our modern information and technology age. Quality school facilities can create an environment that will facilitate student achievement to prepare Hawaii's children to succeed in careers and college in the highly competitive global economy.

The average age of Hawaii's public school facilities is sixty-five years, and public school facilities are inadequate to maximize twenty-first century learning opportunities. Most public schools are built on horizontal designs that tend to be expansive campuses. Such school configurations are not necessarily compatible with modern school facility designs. More modern layouts can be more compact, enabling efficiencies in technology, energy use, security and grounds maintenance, more effective use of land, and



improved sustainability for Hawaii communities.

The Department of Education (DOE) has approximately \$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, DOE projects a need to construct 11 new schools in growing communities over the next six years. Despite significant reduction in the repair and maintenance backlog, down from \$700 million a decade ago, year after year, the department's need for funding school facilities - either new construction, capital improvements, or repair and maintenance - continues to exceed historical appropriation levels from the legislature.

The 21st Century School Fund, a national public policy institute, reported that Hawaii ranked last in the United States, including the District of Columbia, for per-student capital expenditures. In 2010, Hawaii spent \$298 per student on school capital expenditures, compared with a national average of over \$1,000 per student. Despite the need to modernize public school facilities statewide, government is left with inadequate funding for repair and maintenance or necessary investments for new or upgraded facilities to meet competitive and modern demands of twenty-first century learning.

A new, innovative approach is needed to complement traditional general fund appropriations to bring Hawaii's public schools into the twenty-first century. Reconsidering use of public school lands, some of which is considered underutilized on the state's two hundred fifty-four school campuses is an untapped resource. Public-private partnerships to use these lands differently would provide opportunities for the State to use available lands to enable

twenty-first century facilities. By engaging in public-private partnerships, refocusing uses of these properties will support community-driven redevelopment and help communities make better use of land while increasing educational and economic opportunities for the benefit of Hawaii's public school children.

With its proven track record in engaging in public-private partnerships to maximize the use of public lands under its jurisdiction, HCDA is the appropriate entity to carry out the redevelopment of public school lands, in conjunction with the DOE, to facilitate the construction of twenty-first century learning facilities.

Impact on the department and other agencies: HCDA will require more resources. DOE, the Board of Education, the Department of Hawaiian Home Lands, the Department of Land and Natural Resources, and the Department of Accounting and General Services will likely be impacted.

GENERAL FUND: Unspecified funds in both fiscal years of fiscal biennium 2013-2015.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: To be determined.

OTHER AFFECTED AGENCIES: Department of Education.

EFFECTIVE DATE: July 1, 2013.