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# A BILL FOR AN ACT

RELATING TO THE SCHOOL FACILITIES AUTHORITY.

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

1           SECTION 1. The legislature finds that Hawaii continues to  
2 suffer from a shortage of licensed teachers as Hawaii's teacher  
3 salaries continue to trail the nation when adjusted for cost of  
4 living. Providing financial incentives and affordable options  
5 for teacher housing are key strategies for teacher recruitment  
6 and retention. Teacher housing is also a well-established tool  
7 for teacher recruitment and retention of educators serving in  
8 hard-to-fill areas. As housing represents a significant portion  
9 of each teacher's paycheck, the legislature recognizes that, at  
10 minimum, three sites should be developed to provide affordable  
11 housing options to teachers to address the ongoing teacher  
12 shortage.

13           Accordingly, the purpose of this Act is to:

14           (1) Appropriate funds to the school facilities authority  
15           for the construction of housing, including workforce  
16           housing, for teachers, educators, and staff and  
17           classrooms; and



1 (2) Provide the school facilities authority with powers  
2 necessary to expedite these projects on school lands.

3 SECTION 2. Section 302A-1703, Hawaii Revised Statutes, is  
4 amended by amending subsection (c) to read as follows:

5 "(c) Except as otherwise limited by this chapter, the  
6 authority may also:

7 (1) Have a seal and alter the same at its pleasure;

8 (2) Subject to subsection (b), make and execute contracts  
9 and all other instruments necessary or convenient for  
10 the exercise of its powers and functions under this  
11 subpart;

12 (3) Make and alter bylaws for its organization and  
13 internal management;

14 (4) Adopt rules pursuant to chapter 91 with respect to its  
15 projects, operations, properties, and facilities,  
16 including qualifications for persons and entities  
17 wishing to enter into a public-private partnership  
18 with the authority, as permitted in paragraph (7);

19 (5) Acquire or contract to acquire by grant or purchase  
20 real, personal, or mixed property or any interest  
21 therein; to clear, improve, and rehabilitate and to



- 1 sell, assign, exchange, transfer, convey, lease, or  
2 otherwise dispose of or encumber the same;
- 3 (6) Acquire property by condemnation pursuant to chapter  
4 101;
- 5 (7) Enter into partnerships with qualified persons,  
6 including public-private partnerships, as defined in  
7 the authority's rules, to acquire, construct,  
8 reconstruct, rehabilitate, improve, alter, or provide  
9 for the construction, reconstruction, improvement, or  
10 alteration of any project; and sell, assign, transfer,  
11 convey, exchange, lease, or otherwise dispose of or  
12 encumber any project; and in the case of the sale of  
13 any project, accept a purchase money mortgage in  
14 connection therewith;
- 15 (8) Grant options to purchase any project or to renew any  
16 lease entered into by it in connection with any of its  
17 projects, on terms and conditions as it deems  
18 advisable;
- 19 (9) Prepare or cause to be prepared plans, specifications,  
20 designs, and estimates of costs for the construction,  
21 reconstruction, rehabilitation, improvement, or



- 1 alteration of any project, and from time to time to  
2 modify the plans, specifications, designs, or  
3 estimates;
- 4 (10) Procure insurance against any loss in connection with  
5 its property and other assets and operations in  
6 amounts and from insurers as it deems desirable;
- 7 (11) Apply for and accept gifts or grants in any form from  
8 any public agency or from any other source, including  
9 gifts or grants from private individuals and private  
10 entities;
- 11 (12) Borrow money or procure loan guarantees from the  
12 federal government for or in aid of any project the  
13 authority is authorized to undertake pursuant to this  
14 chapter. Additionally, in connection with borrowing  
15 or procurement of loan guarantees, the authority:
- 16 (A) Shall comply with conditions required by the  
17 federal government pursuant to applicable  
18 regulation or required in any contract for  
19 federal assistance;
- 20 (B) Shall repay indebtedness incurred pursuant to  
21 this section, including any interest thereon;



- 1 (C) May execute loan and security agreements and
- 2 related contracts with the federal government;
- 3 (D) May issue bonds pledging revenues, assessments,
- 4 or other taxes as security for indebtedness
- 5 incurred pursuant to this section; and
- 6 (E) May enter into financing agreements as that term
- 7 is defined in section 37D-1;
- 8 (13) Appoint or retain by contract one or more attorneys
- 9 who are independent of the attorney general to provide
- 10 legal services solely in cases of negotiations in
- 11 which the attorney general lacks the sufficient
- 12 expertise; provided that the independent attorney
- 13 shall consult and work in conjunction with the
- 14 designated deputy attorney general;
- 15 (14) Use the department of human resources development to
- 16 recruit, hire, and retain exempt employees,
- 17 architects, engineers, existing civil service
- 18 positions, and other technical positions for the
- 19 development, planning, and construction related to
- 20 capital improvement projects; [~~and~~]



1     (15) Partner with public and private development agencies  
2             to develop:

3             (A) Housing, including workforce housing, for  
4             teachers, educators, and staff; and

5             (B) Classrooms; and

6     ~~[(15)]~~ (16) Do any and all things necessary to carry out its  
7             purposes and exercise the powers given and granted in  
8             this subpart."

9             SECTION 3. With the approval of the governor, designated  
10  expending agencies for capital improvement projects authorized  
11  in this Act may delegate to other state or county agencies the  
12  authority to implement projects when it is determined  
13  advantageous to do so by both the original expending agency and  
14  the agency to which expending authority is to be delegated.

15            SECTION 4. There is appropriated out of the general  
16  revenues of the State of Hawaii the sum of \$             or so  
17  much thereof as may be necessary for fiscal year 2023-2024 and  
18  the same sum or so much thereof as may be necessary for fiscal  
19  year 2024-2025 for the construction of housing, including  
20  workforce housing, for teachers, educators, and staff and the



1 construction of classrooms at the following schools; provided  
2 that the appropriation shall be allocated as follows:

- 3 (1) \$ for Mililani high school;
- 4 (2) \$ for Nanakuli high & intermediate school;
- 5 and
- 6 (3) \$ for Waipahu high school.

7 The sums appropriated shall be expended by the school  
8 facilities authority for the purposes of this Act.

9 SECTION 5. Housing developed pursuant to section 4 of this  
10 Act shall be within a school campus or within a two-mile radius  
11 of a school campus listed under section 4 of this Act and shall  
12 be reserved for teachers, educators, and staff employed at a  
13 school within the Mililani, Nanakuli, and Waipahu complexes.

14 SECTION 6. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect on June 30, 3000.



**Report Title:**

Department of Education; School Facilities Authority; Teacher Housing; Workforce Housing; Classrooms; Appropriation

**Description:**

Authorizes the School Facilities Authority to partner with public and private agencies to develop housing, including workforce housing, for teachers, educators, and staff and develop classrooms. Authorizes the School Facilities Authority to transfer appropriated funds to partner state agencies for the development of housing and classrooms. Appropriates funds to the School Facilities Authority for the construction of housing and classrooms. Specifies Nanakuli High School, Waipahu High School, and Mililani High School as initial locations for the construction with location and tenant requirements. Effective 6/30/3000. (HD1)

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

