



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

Wednesday, March 27, 2013, 9:00 AM  
State Capitol Room 309

Testimony of  
Policy Office of the Governor, State of Hawaii

To the House Committees on Water & Land, Education, and Finance

Representative Cindy Evans, Chair, Water & Land Committee  
Representative Nicole Lowen, Vice Chair, Water & Land Committee

Representative Roy Takumi, Chair, Education Committee  
Representative Takashi Ohno, Vice Chair, Education Committee

Representative Sylvia Luke, Chair, Finance Committee  
Representative Scott Nishimoto, Vice Chair, Finance Committee  
Representative Aaron Johanson, Vice Chair, Finance Committee

SB 237 SD 2 – Relating to Public School Lands

Chair Evans, Chair Takumi, Chair Luke, Vice Chair Lowen, Vice Chair Ohno, Vice Chair Nishimoto, Vice Chair Johanson, and members of the Committees:

Thank you for the opportunity to provide testimony in support of Senate Bill 237, Senate Draft 2 (SB237 SD2). SB237 SD2 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, enabled by SB237 or House Bill 865, is a public-private partnership that would allow DOE to lease school 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. Communities will benefit from better school facilities, multi-purpose community centers, workforce housing, or other needs as determined by the Department of Education (DOE) and Board of Education (BOE) to be compatible with the community based on engagement with the community and a community planning

process. SB237 SD2, with amendments, will provide necessary authority and flexibility to establish partnerships that provide resources for school facilities.

We have reviewed SB237 SD2. We have provided a proposed draft that incorporates the following changes:

- Identifies the Governor's Office as the facilitator for the project;
- Allows for a maximum of five projects, as provided in the HB865 HD1 (vs. two projects provided for in SB 237 SD2);
- Allows the BOE to issue leases for facilities that are compatible with the community, and
- Provides the option for Hawaii Community Development Authority to be contracted to assist but limiting HCDA's role to providing development assistance and not extending their authority for zoning.

Also, we respectfully suggest that the definitions for "public school lands" from in HB865 HD1 be included in the House Draft of SB237 SD2.

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 the Governor shared in his 2013 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.

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, as recognized by this committee when it considered HB865. 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. The proposed draft reflects the commitment to this engagement.

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

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A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL LANDS.

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

SECTION 1. The legislature finds that one of the major educational dilemmas of our time is rooted in an existing system that traps information-age students in agricultural-age schools. While the flow of information and ideas is increasingly fluid, students are confined to the physical structures and mindsets of an earlier time and place. Building, repairing, and retrofitting public schools to meet the challenges of the twenty-first century and beyond will not be easy, and the costs will be considerable. However, quality school infrastructure facilitates an environment that will prepare children to achieve and succeed in a highly competitive economy.

1           The infrastructure of the twenty-first century school must  
2 be energy efficient and wired with the latest technology.  
3 Classroom size must be flexible because the program, not the  
4 space, should determine the number of students per class. The  
5 school campus must be designed from its inception with student  
6 achievement in mind to maximize available land and student  
7 safety, and to offer the community multiple uses of existing  
8 structures. Most of Hawaii's school campuses fall short in  
9 these areas.

10           The legislature further finds that twenty-first century  
11 schools are also those that include a full complement of the  
12 people, programs, and places that support a wide range of  
13 personal learning styles and instructional modalities. Schools  
14 are often separated from personal and family service programs in  
15 urban and rural communities. One way to address this situation  
16 is to think about schools as the center of a community that can  
17 support all aspects of living and learning. The creation of  
18 school-centered communities will provide greater access to  
19 centrally located physical, cultural, social, economic,  
20 organizational, and educational programs and services that are

1 within walking distance of children and families.

2       The considerable amount of underused public school lands on  
3 the State's two hundred fifty-seven school campuses is an  
4 untapped resource that would provide infrastructure that could  
5 make classrooms, campuses, and communities suitable for the  
6 twenty-first century. By way of illustration, a preliminary  
7 review by a real estate expert indicates that ten parcels that  
8 have unused lands are valued at \$120,000,000 under existing  
9 surrounding uses. These lands could be developed solely for the  
10 benefit of Hawaii's public school children. The beneficiaries  
11 would be the children of Hawaii.

12       The purpose of this Act is to optimize the use of public  
13 school lands to generate opportunities to improve public school  
14 facilities and infrastructure to meet the challenges of the  
15 twenty-first century and to improve the overall quality of  
16 education in Hawaii. In particular, this Act establishes a  
17 three-year pilot program to generate revenue from uses for  
18 public purposes, such as workforce housing, to build and  
19 retrofit twenty-first century schools and create more school-  
20 centered communities. The pilot program will lay important

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

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

11 **"§302A-A Program for lease of public school land.** (a) There  
12 shall be established within the office of the lieutenant  
13 governor a pilot program for the lease of public school land,  
14 including facilities. The office of the governor shall serve as  
15 the facilitator of the program and shall consult with the  
16 department, the board and any other appropriate agency, as  
17 provided in this section.

18 (b) The office of the governor may contract with the Hawaii  
19 community development authority for the purpose of implementing  
20 the program; provided that any public school land site

1 participating in the program shall not be subject to the  
2 provisions of section 206E-7 that allow community development  
3 rules to supersede all other inconsistent ordinances and rules  
4 relating to the use, zoning, planning and development of land  
5 and construction.

6 (c) Notwithstanding sections 171-13 and 302A-1151, or any other  
7 law to the contrary, the department, as directed by the office  
8 of the governor, may lease public school land on terms it deems  
9 appropriate; provided that:

10 (1) The department may identify and select up to five public school land sites, subject to  
11 approval by the board, for participation in the program; provided further that during the  
12 identification and selection process, the board shall be subject to chapter 92 and shall foster  
13 school and community participation in the planning process;

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

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

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

24 (B) The lessee shall be obligated to pay to the county

1                   all applicable property tax on the value of  
2                   any improvements;

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

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

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

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

16           **§302A-B School facilities special fund.**   (a) There is

17           established a school facilities special fund into which shall be  
18           deposited all proceeds from the leases, permits, interest income  
19           generated from public school lands, and other revenue generated  
20           from the non-permanent disposition of public school lands,

1 including facilities, pursuant to section 302A-A.

2 (b) The school facilities special fund shall be  
3 administered by the department. Except as otherwise provided,  
4 all moneys in the school facilities special fund shall be used  
5 exclusively for the new construction and upgrade of twenty-first  
6 century school facilities, as well as the repair and maintenance  
7 of existing school facilities."

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

10 "(a) There is established the Hawaii public land  
11 development revolving fund, to which shall be credited any state  
12 appropriations to the fund, any sums collected as a result of  
13 bonds issued pursuant to this chapter, any revenues generated  
14 from the facilities, except as provided in [~~sections~~] section  
15 171C-17.5 [and 171C-21], or other moneys made available to the  
16 fund, to be expended as directed by the corporation."

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

19 [~~["§171C-21] School facilities special fund.~~] (a) There  
20 ~~is established a school facilities special fund into which shall~~

1 ~~be deposited all proceeds from leases, permits, interest income~~  
2 ~~generated from public school lands and facilities, and other~~  
3 ~~revenue generated from the non-permanent disposition of public~~  
4 ~~school lands and facilities under this chapter, less the~~  
5 ~~following:~~

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

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

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

12 ~~(b) The school facilities special fund shall be~~  
13 ~~administered by the department of education in consultation with~~  
14 ~~the board of education. Except as otherwise provided, all~~  
15 ~~moneys in the school facilities special fund shall be used~~  
16 ~~exclusively for the new construction and upgrade of twenty-first~~  
17 ~~century school facilities, and the retrofit and upgrade of~~  
18 ~~existing school facilities to meet twenty-first century school~~  
19 ~~standards." ]~~

20 SECTION 5. The office of the governor shall submit a  
21 report to the legislature no later than twenty days prior to the  
22 convening of the regular sessions of 2014 through 2016. The

1 report shall provide the following:

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

3 | (2) A summary of the office of the governor's and the department of education's activities,  
4 results, and recommendations to optimize the use of public school lands as a means to build or  
5 renovate twenty-first century schools and school-centered communities;

6 (3) A summary of all school and community engagement efforts undertaken or that will be  
7 | undertaken by the office of the governor and the department of education in carrying out the pilot  
8 program pursuant to this Act; and

9 (4) Any proposed legislation.

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

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

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

1 SECTION 8. In codifying the new sections added by section  
2 2 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letters used in designating  
4 the new sections in this Act.

5 SECTION 9. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 10. This Act shall take effect on July 1, 2050;  
8 provided that section 302A-A, Hawaii Revised Statutes, shall be  
9 repealed on June 30, 2016.

10

11

12 **Report Title:**

13 Education; Public School Lands; Leases; Pilot Program

14 Appropriation

15

16 **Description:**

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

20 Repeals the schools facilities special fund in chapter 171C,  
21 HRS. Requires the office of the governor to submit a report to  
22 the legislature. Makes an appropriation for the pilot program.

23 Effective 07/01/2050. (SD2)

24

25

26

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

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30



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

**Date:** 03/27/2013

**Committee:** House Water & Land/House  
Education/House Finance

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 0237,SD2(sscr600) RELATING TO PUBLIC SCHOOL LANDS.

**Purpose of Bill:** Establishes a three-year pilot program to generate revenue for the use of public school land. Specifies that the lieutenant governor, in consultation with the department of education, board of education, and other appropriate agencies, shall be the facilitator of the pilot program. Authorizes the lease of certain public school lands for public purposes, including but not limited to the development of workforce housing rental units, under specified conditions. 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. Pilot program repeals 6/30/2016.

**Department's Position:**

The Department of Education (DOE) supports this bill. The DOE appreciates the challenges in bringing our schools up to 21st Century standards and the costs involved in such an undertaking. Because this bill creates a three (3) year pilot program, it presents an opportunity to analyze options that may be available to create a new revenue source for new school construction.

Because the Lieutenant Governor shall serve as the facilitator of the pilot program, the Board of Education and the DOE will work closely with the Lieutenant Governor to determine the most appropriate options to identify DOE schools that would be deemed appropriate as signature projects for this pilot. The DOE supports the creation of a school facilities special fund administered by the DOE into which any proceeds from this pilot will be deposited. These funds are to be used for new construction, upgrade of twenty-first century school facilities and repair and maintenance of existing school facilities.

The DOE believes that the provisions of this bill will enable the DOE to take advantage of all options available to it as it strives to align our facilities with 21st Century learning concepts, which will in turn establish the blueprint for the entire DOE inventory.

Thank you for this opportunity to provide testimony on this bill.



**Testimony to the House Committees on Water and Land, Education, and Finance  
Wednesday, March 27, 2013  
9:00 a.m.  
State Capitol - Conference Room 309**

**RE: SENATE BILL NO. 237 SD2, RELATING TO PUBLIC SCHOOL LANDS**

Chairs Evans, Takumi and Luke and Vice Chairs Lowen, Ohno, Nishimoto and Johanson, and members of the committees:

The Chamber of Commerce of Hawaii supports the intent of S.B. No. 237 SD2; however, we believe it should focus more on developing a redevelopment process. The bill proposes to establish a three-year pilot program to generate revenue for the use of public school land. The bill specifies that the lieutenant governor, in consultation with the department of education, board of education, and other appropriate agencies, shall be the facilitator of the pilot program. It also authorizes the lease of certain public school lands for public purposes, including but not limited to the development of workforce housing rental units, under specified conditions.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The bill proposes to amend Chapter 302A HRS which governs the Board of Education. We strongly support the proposal to involve the Lieutenant Governor as certain aspects of this initiative will probably involve multiple agencies. Having an entity with the authority and ability to work with multiple agencies will ensure a higher probability of success.

We understand that the intent of the bill 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;
- 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 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 at "Public Facilities" under the County zoning. To allow for a range of mixed uses, BMX or some type of hybrid zoning would be appropriate.

The Chapter 343 HRS compliance and zoning are usually done prior to an RPF 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.

Perhaps the focus of the bill should be on developing an open, transparent and competitive process that results in the "Best Value" for DOE/BOE while being as inclusive as possible with public/community involvement, and 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.

We believe that the bill is a step in the right direction but needs to specifically address the Chapter 343 HRS requirements, the Re-zoning process, and a disposition process that will encourage creative solutions based on "best value" as opposed to the highest bidder.

Thank you for the opportunity to express our views on this matter.



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Committee on Water & Land  
Rep. Cindy Evans, Chair  
Rep. Nicole E. Lowen, Vice-Chair

Committee on Education  
Rep. Roy M. Takumi, Chair  
Rep. Takashi Ohno, Vice-Chair

Committee on Finance  
Rep. Sylvia Luke, Chair  
Rep. Scott Y. Nishimoto, Vice Chair  
Rep. Aaron Ling Johanson, Vice Chair

SB237, SD2 Relating to Public School Lands

Testimony of  
Jeanne Schultz Afuvai  
Executive Vice President

Wednesday, March 27, 2013 at 9:00 a.m.  
Conference Room 309

Dear Chair Evans, Chair Takumi, Chair Luke, Vice-Chairs and members of the Committees:

The Hawaii Institute for Public Affairs **supports the intent** of Senate Bill 237, SD 2 which would establish a three-year pilot program within the Office of the Lieutenant Governor to allow for the limited lease of public school lands and facilities under the authority of the Department of Education to generate revenue for the school facilities special fund.

By way of background, in 2009, HIPA initiated the 21<sup>st</sup> Century Schools Initiative, a research and community-based effort to develop an innovative, systemic, and practicable approach to upgrade and construct 21<sup>st</sup> 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 21<sup>st</sup> century schools;
- Initiating a statewide rebuilding and modernization of Hawai'i's aging public schools that foster 21<sup>st</sup> 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.

Pilot projects for this initiative are essential. We strongly agree with the need to test and evaluate development, design and financial models, and to give communities the opportunity to provide input and understand the concept of 21<sup>st</sup> century learning and facilities. We also respectfully encourage these Committees to add enabling legislation that would also create a systemic approach to modernize the entire system. **The pilot projects can occur simultaneously with a system-wide plan, which, for all intents and purposes, will take two to three years to be established and implemented in any event. Once the pilot projects are completed during that period and learning and best practices are evaluated, the State will be in a position to implement this program on a statewide basis.**

Thank you for the opportunity to testify on this matter.



LAND USE RESEARCH  
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March 21, 2013

Representative Cindy Evans, Chair  
Representative Nicole E. Lowen, Vice Chair  
House Committee on Water & Land

Representative Roy M. Takumi, Chair  
Representative Takashi Ohno, Vice Chair  
House Committee on Education

Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice Chair  
Representative Aaron Ling Johanson, Vice Chair  
House Committee on Finance

**Testimony and Comments Regarding SB 237, SD2, Relating to Public School Lands (Pilot Program for Lease of Public School Lands).**

**Wednesday, March 27, 2013, 9:00 a.m., in CR 309**

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.

**SB 237, SD2.** The purpose of this bill is to:

- Establish a three-year pilot program to generate revenue through the lease of public school lands for public purposes;
- Provide that the lieutenant governor, in consultation with the department of education (“DOE”), board of education (“BOE”), and other appropriate agencies, shall be the facilitator of the pilot program;
- Authorize the board of education to identify and select up to two public school land sites for participation in the pilot program;
- Clarify that the board of education shall be subject to chapter 92, HRS, and shall foster school and community participation during the site identification and selection process;
- Establish the school facilities special fund within chapter 302A, HRS;
- Repeal the schools facilities special fund in chapter 171C, HRS;
- Require the lieutenant governor to submit a report to the legislature; and
- Make an appropriation for the pilot program.

**LURF's Position.** LURF supports the general intent of SB 237, SD2, and also supports a measured approach to identify, select and pursue school redevelopment projects, however, 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 appoints the lieutenant governor, in consultation with the DOE and BOE, as the facilitator of the pilot program, responsible for identifying and leasing public school land sites for participation in the program. LURF is concerned because it appears that the lieutenant governor, the DOE, and BOE may currently lack the qualifications and experience in planning, leasing, project management, asset management, land use/zoning regulations, and development of twenty-first century schools and income-producing properties. With all due respect, the mission of the lieutenant governor or the DOE is not redevelopment, and over the years, there has been no record of these offices having expertise or success in redeveloping public school lands, or developing income-producing property.

LURF nevertheless supports the intent of SB 237, SD2 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 State Administration, the DOE and the BOE, as the authorities responsible for facilitating redevelopment of 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 including community engagement/involvement, appropriate land uses, efficient construction, as well as 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 SB 237, SD2, 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.



Testimony of Cindy McMillan  
The Pacific Resource Partnership

House Committee on Water & Land  
Representative Cindy Evans, Chair  
Representative Nicole E. Lowen, Vice Chair

House Committee on Education  
Representative Roy M. Takumi, Chair  
Representative Takashi Ohno, Vice Chair

House Committee on Finance  
Rep. Sylvia Luke, Chair  
Rep. Scott Y. Nishimoto, Vice Chair  
Rep. Aaron Ling Johanson, Vice Chair

SB 237, SD2 – Relating to Public School Lands  
Wednesday, March 27, 2013  
9:00 am  
State Capitol, Conference Room 309

Aloha Chairs Evans, Takumi, Luke and Vice Chairs Lowen, Ohno, Nishimoto, Johanson and members of the Committees:

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** SB 237, SD2, Relating to Public School Lands, which establishes a three-year pilot program to generate revenue through the lease of public school lands for public purposes.

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

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Testimony Supporting SB 237, SD2 – Relating to Public School Lands

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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.

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 the community in the planning of these 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 SB 237, SD2. 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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**President**

**Greg Thielen**  
Complete Construction Services Corp.

**President-Elect**

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**Paul D. Silen**  
Hawaiian Dredging Construction Co., Inc.

**Special Appointee-Associate**

**Craig Washofsky**  
Servco Home & Appliance Distribution

**Immediate Past President**

**Dean I. Asahina**  
Universal Construction, Inc.

**Chief Executive Officer**

**Karen T. Nakamura**  
BIA-Hawaii

### **2013 Directors**

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**Anthony Borge**

RMA Sales

**Clifton Crawford**

C&J Contracting, Inc.

**David S. Chang**

Chang Holding Company

**Dean Uchida**

SSFM International, Inc.

**Evan Fujimoto**

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 House Committees on Water and Land, Education, and Finance**

**Wednesday, March 27, 2013**

**9:00 a.m.**

**State Capitol - Conference Room 309**

**RE: S.B. 237, S.D. 2, RELATING TO PUBLIC SCHOOL LANDS**

Chairs Evans, Takumi, and Luke, Vice Chairs Lowen, Ohno, Nishimoto and Johanson, and members of the Committees:

My name is Gladys Marrone, Government Relations Director 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 **supports the intent** of S.B. No. 237 SD2; however, we believe it should focus more on developing a redevelopment process. The bill proposes to establish a three-year pilot program to generate revenue for the use of public school land. The bill specifies that the lieutenant governor, in consultation with the department of education, board of education, and other appropriate agencies, shall be the facilitator of the pilot program. It also authorizes the lease of certain public school lands for public purposes, including but not limited to the development of workforce housing rental units, under specified conditions.

The bill proposes to amend Chapter 302A HRS which governs the Board of Education. We strongly support the proposal to involve the Lieutenant Governor as certain aspects of this initiative will probably involve multiple agencies. Having an entity with the authority and ability to work with multiple agencies will ensure a higher probability of success.

We understand that the intent of the bill 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;
- 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 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 at “Public Facilities” under the County zoning. To allow for a range of mixed uses, BMX or some type of hybrid zoning would be appropriate.

The Chapter 343 HRS compliance and zoning are usually done prior to the issuance of an RFP 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.

Perhaps the focus of the bill should be on developing an open, transparent and competitive process that results in the “Best Value” for DOE/BOE while being as inclusive as possible with public/community involvement, and 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.

We believe that the bill is a step in the right direction but needs to specifically address the Chapter 343 HRS requirements, the re-zoning process, and a disposition process that will encourage creative solutions based on “best value” as opposed to the highest bidder.

Thank you for the opportunity to express our views on this matter.

1065 Ahua Street  
Honolulu, HI 96819  
Phone: 808-833-1681 FAX: 839-4167  
Email: [info@gcahawaii.org](mailto:info@gcahawaii.org)  
Website: [www.gcahawaii.org](http://www.gcahawaii.org)



# GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

March 27, 2013

TO: HONORABLE CINDY EVANS, CHAIR, HONORABLE NICOLE LOWEN,  
VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON WATER  
AND LAND

HONORABLE ROY TAKUMI, CHAIR, HONORABLE TAKASHI OHNO,  
VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON  
EDUCATION

HONORABLE SYLVIA LUKE, CHAIR, HONORABLE SCOTT NISHIMOTO,  
VICE CHAIR, HONORABLE AARON JOHANSON, VICE CHAIR AND  
MEMBERS OF THE HOUSE COMMITTEE ON FINANCE

SUBJECT: **SUPPORT OF SB 237, SD2 RELATING TO PUBLIC SCHOOL LANDS.**  
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. Effective 07/01/2050. (SD2)

Hearing

DATE: Wednesday, March 27, 2013  
TIME: 9:00 a.m.  
PLACE: Capitol Room 309

Dear Chairs Evans, Takumi, and Luke, Vice Chairs Lowen, Ohno, Nishimoto and Johanson 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 S.B. 237, SD2, Relating to Public School Lands, which proposes a three-year pilot program within the Office of the Lieutenant Governor to allow for the limited lease of 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.

**lowen1-Kyli**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:47 AM  
**To:** waltestimony  
**Cc:** beehealth@aol.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Beatrice Oconnor	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bich phuong	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
bill liverman	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brad Parsons	Individual	Oppose	No

Comments:

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**Cc:** saws123@myway.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl York	Individual	Oppose	No

Comments:

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**Cc:** chaund5924@sbcglobal.net  
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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
chauncy domin	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cotu Connors	Individual	Oppose	No

Comments:

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Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Faye Ford	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Finia Kaanoa	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frank Williams	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geiselle Meek	Individual	Oppose	No

Comments:

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Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
happy heber	Individual	Oppose	No

Comments:

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**Sent:** Thursday, March 21, 2013 6:24 AM  
**To:** waltestimony  
**Cc:** jemray@hawaii.rr.com  
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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Janet Murray	Individual	Oppose	No

Comments: OPPOSE SB237 The PLDC all over again?

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**Cc:** mendezj@hawaii.edu  
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**SB237**

Submitted on: 3/20/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Oppose	No

Comments:

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## lowen1-Kyli

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 20, 2013 8:12 PM  
**To:** waltestimony  
**Cc:** jeannine@hawaii.rr.com  
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### **SB237**

Submitted on: 3/20/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeannine Johnson	Individual	Oppose	No

Comments: In 1898, when the United States annexed the Hawaiian Islands and transformed them into a territory of the United States, the self-proclaimed "Republic of Hawaii" "ceded" about 1.8 million acres of lands to the United States. This transfer remains surrounded by controversy, because the participation of U.S. military and diplomatic officials in the 1893 overthrow of the Kingdom of Hawaii has been recognized to be "illegal" and a violation of international law by the U.S. Congress in the 1993 Apology Resolution, which also says that the transfer of the lands in 1898 was "without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government." What Are the 'Ceded Lands' of Hawai'i ? Jon Van Dyke (11/08/2010) As a Hawaiian whose ancestors were lawai'a (fishermen) and kālai wa'a (canoe-builders) from Kapāilua since 1777, I strongly oppose SB237, SD2 which 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, repeals the schools facilities special fund and requires the L.G. to submit a report to the legislature. As you know, except for 3 acres, Hawai'i's schools were built on ceded lands which are owned by the Hawaiian people and held in trust by the state government. It seems that the State can't develop ceded lands fast enough in order to fulfill a desire to deprive Kanaka Maoli the use of these lands once their sovereign government is re-established. As a taxpaying resident of the State of Hawai'i, I also strongly oppose SB237 because it takes away from our keiki with one hand to give with the other hand to developers unfettered access to prime public lands. As a Hawaiian I am used to this. As a parent, I am appalled at the audacity of our government officials. I know the reason is because none of you send your children to public schools and therefore don't care that my keiki won't have playgrounds, playing fields and room to run around. So I ask you, in all fairness, would you force this on Punahou students? If your answer to that is no, your vote must be no to SB237, SD2. Mahalo.

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**lowen1-Kyli**

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**Cc:** hilobliss@yahoo.com  
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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joy cash	Individual	Oppose	No

Comments: Do the right thing for Hawaii's people & aina.

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**lowen1-Kyli**

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**Sent:** Thursday, March 21, 2013 7:42 AM  
**To:** waltestimony  
**Cc:** juliahorn1@yahoo.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julia Horn	Individual	Oppose	No

Comments:

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**To:** waltestimony  
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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julian Jiman	Individual	Oppose	No

Comments:

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**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kai Saith	Individual	Oppose	No

Comments:

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**lowen1-Kyli**

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**To:** waltestimony  
**Cc:** kensells@gmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Sellis	Individual	Oppose	No

Comments:

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## lowen1-Kyli

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 1:45 AM  
**To:** waltestimony  
**Cc:** paikoman@yahoo.com  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

### **SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Andrews	Individual	Oppose	No

Comments: No way. Take your hands off our public school lands. Hawai'i children need open space to roam, exercise, and grow. No more PLDCs - you don't fool us anymore. We are watching. Pay attention to the legacy you are creating.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:32 AM  
**To:** waltestimony  
**Cc:** ggexcavations@hotmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Kirbin	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 7:00 AM  
**To:** waltestimony  
**Cc:** atayloragain@yahoo.com  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maria Taylor	Individual	Oppose	No

Comments: Stop it! Stop it! Quit doing this to the aina and the people of the Hawaiian Kingdom.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:47 AM  
**To:** waltestimony  
**Cc:** michaelhawthorne1@me.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
michael hawthorne	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:48 AM  
**To:** waltestimony  
**Cc:** missivonkouma1@live.fr  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
missy kouma	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:01 AM  
**To:** waltestimony  
**Cc:** silverpenny10@hotmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
penny silva	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:48 AM  
**To:** waltestimony  
**Cc:** richard\_michael\_1420@yahoo.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
richard michael	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:34 AM  
**To:** waltestimony  
**Cc:** samanthacresanto@gmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sam cresanto	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 8:34 AM  
**To:** waltestimony  
**Cc:** sherrianwitt@aol.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sherrian witt	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:34 AM  
**To:** waltestimony  
**Cc:** suphamsaigon@yahoo.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sue phalen	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:34 AM  
**To:** waltestimony  
**Cc:** suyng07@sbcglobal.net  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suy Nathan	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:33 AM  
**To:** waltestimony  
**Cc:** tammui@sbcglobal.net  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tam Mui	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:33 AM  
**To:** waltestimony  
**Cc:** taterocks@socket.net  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tatiana Rocks	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 7:16 AM  
**To:** waltestimony  
**Cc:** timfinn565@gmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tim Finn	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 12:33 AM  
**To:** waltestimony  
**Cc:** tjsimms2000@hotmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tj simms	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 2:02 AM  
**To:** waltestimony  
**Cc:** paikoman@yahoo.com  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

### **SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Todd Andrews	Individual	Oppose	No

Comments: Kids need to learn about where their food comes from by farming the land around their schools. Exercise, skills, aina awareness, environment awareness, opportunity to grow healthy food, etc. No PLDC.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 10:19 AM  
**To:** waltestimony  
**Cc:** Alemorrier@gmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alicia morrier	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 9:51 AM  
**To:** waltestimony  
**Cc:** aniko65@live.com  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Avi Okin	Individual	Oppose	No

Comments: This bill appears to be a PLDC for using school property, so I oppose it.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 11:35 AM  
**To:** waltestimony  
**Cc:** peacesubhadra@gmail.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
D. Corcoran	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 8:56 AM  
**To:** waltestimony  
**Cc:** joeconti@kona.net  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

### **SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joe Conti	Individual	Oppose	No

Comments: I oppose this bill because of the problems that could arise from it. It has too many down sides to mention and I will not be voting for any "law makers" that support this. Please do the right thing.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 21, 2013 1:52 PM  
**To:** waltestimony  
**Cc:** merway@hawaii.rr.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/21/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marjorie Erway	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 22, 2013 8:36 AM  
**To:** waltestimony  
**Cc:** maya@mayarosscreative.com  
**Subject:** \*Submitted testimony for SB237 on Mar 27, 2013 09:00AM\*

**SB237**

Submitted on: 3/22/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maya Ross	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 22, 2013 10:08 AM  
**To:** waltestimony  
**Cc:** palmtree7@earthlink.net  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

**SB237**

Submitted on: 3/22/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glenie	Individual	Oppose	No

Comments: how can legislators -- representatives of the People -- continue to support PLDC look-alikes, which is what privatizing our schools is? please oppose bills that are good for corporations and bad for People. mahalo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, March 23, 2013 7:56 AM  
**To:** waltestimony  
**Cc:** slwsurfing@yahoo.com  
**Subject:** Submitted testimony for SB237 on Mar 27, 2013 09:00AM

**SB237**

Submitted on: 3/23/2013

Testimony for WAL/EDN/FIN on Mar 27, 2013 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sharon willeford	Individual	Oppose	No

Comments: As a 30 yr. DOE/HI teacher - The Land should be kept for the CHILDREN! Where will they play? Not enough exercise -they need to learn to plant gardens - use it for EDUCATION not profit!

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March 26, 2013

**To: House of Representatives  
Committee on Water & Land  
Committee on Education  
Committee on Finance**

**From: Liz Larson, Resident of Waikiki,  
Mother of two children going to Jefferson Elementary School  
201 Ohua Ave. #T1-401a, Honolulu, HI 96815**

**Subject: Oppose SB 237 at Hearing on Wednesday, March 27<sup>th</sup> at 9:00 a.m.**

Dear Chairs, Vice Chairs, and Representatives,

This testimony is submitted in opposition to SB 237.

As a mother of two children who go to Jefferson Elementary School, I am deeply concerned that the land that is precious to our community and treasured by the school, parents, and children will be taken away permanently. If a high rise structure is developed on the property of Jefferson Elementary School, the land will never be reclaimed for the children.

You cannot put a price tag on the value of the outdoor instruction, gardening, and scientific discovery that my children experience daily because of the programs Jefferson Elementary School is able to provide because of the land. Raising children in the city in a small one bedroom apartment, I understand first-hand how important this open space is to the children and to the community of Waikiki.

Bill 237 only states that there will be 2 pilot schools, but does not state which schools are being considered. Naturally, schools will be considered where land is most valuable. One unintended consequence of the bill will be that inner city schools, such as Jefferson Elementary School, will be targeted even though land

and open space is most needed by the children and citizens of those communities.

The lack of local community and parent involvement in the decision making of our schools comes from the centralized nature of the school system in Hawaii. This bill only highlights the problems that already exist in a centralized school system that discourages local participation by not allowing the public to even know which two schools are being considered for redevelopment.

I am also opposed to Bill 237 because revenues generated from the pilot schools will be put into a Twenty-first century schools special revolving fund. The system of dispersal of these funds is not transparent and funds can be arbitrarily dispersed at the discretion of the DOE and the school board.

The best investment for our future is in our children. School land should be used for the purpose of educating our children. Once the land has been developed for other purposes such as housing, it will be forever lost.

Sincerely,

A handwritten signature in cursive script, appearing to read "Liz Larson".

Liz Larson

Waikiki Resident and Mother of Children in Public School