

JAN 17 2014

S.B. NO. 2559

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

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

1 SECTION 1. The legislature finds that a key factor
2 influencing a student's ability to learn in public schools is
3 the learning environment. Students learn best when they are
4 physically comfortable and free from unnecessary distractions.
5 Given Hawaii's tropical climate and high temperatures, schools
6 should be equipped with air conditioning to ensure that students
7 have the most comfortable learning environment conducive to
8 fulfilling their educational potential.

9 The legislature further finds that all public school
10 classrooms in Hawaii should have air conditioning by 2019. The
11 legislature must make this a priority by appropriating
12 \$25,000,000 a year to the department of education to help reach
13 this goal.

14 The purpose of this Act is to:

15 (1) Require the department of education to plan for and
16 request funds necessary to implement acoustic noise
17 control and air conditioning at existing and new
18 school facilities;



- 1 (2) Require the department of education to develop
- 2 standards to determine whether acoustic noise control
- 3 of existing and new schools is necessary;
- 4 (3) Require the installation of air conditioning in all
- 5 public schools based upon a priority list established
- 6 by the department of education and according to a
- 7 schedule to have air conditioning installed in all
- 8 public schools by 2019; and
- 9 (4) Make an appropriation to the department of education
- 10 for air conditioning in public schools.

11 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "**§302A- Noise and climate control at school facilities.**"

15 (a) This section shall be known and may be cited as the First
16 Things First Act.

17 (b) The department shall plan for and request
18 appropriations necessary to implement the following:

- 19 (1) Acoustic noise control of existing and new school
- 20 facilities in areas that are affected by aircraft,
- 21 traffic, and other noises; and



1 (2) Air conditioning of existing and new school
2 facilities.

3 (c) The department shall develop appropriate standards and
4 consider local conditions in deciding whether acoustic noise
5 control of existing and new schools is required for effective
6 classroom instruction. The standards shall include criteria to
7 be used by the department to determine when acoustic noise
8 control is not needed.

9 (d) Where acoustic noise control of school facilities is
10 planned, the department shall utilize the services of
11 individuals qualified by training and experience to recommend
12 appropriate noise control procedures and components.

13 (e) Acoustic noise control and air conditioning shall be
14 given equal weight with all other factors in the criteria used
15 by the department in setting priorities for school construction
16 and renovations.

17 (f) The department shall establish a prioritized list for
18 the installation of air conditioning at all public schools
19 subject to this chapter; provided that schools that are in the
20 greatest need of air conditioning shall be given top priority.

21 Based on the prioritized list, air conditioning shall be
22 installed:



- 1 (1) In the first twenty per cent of schools by
- 2 December 31, 2015;
- 3 (2) In the second twenty per cent of schools by
- 4 December 31, 2016;
- 5 (3) In the third twenty per cent of schools by
- 6 December 31, 2017;
- 7 (4) In the fourth twenty per cent of schools by
- 8 December 31, 2018; and
- 9 (5) In the fifth twenty per cent of schools by
- 10 December 31, 2019.
- 11 (g) Unless otherwise provided by law, the department shall
- 12 use any funds appropriated by the legislature for air
- 13 conditioning in the following manner:
- 14 (1) For the installation of new air conditioning in
- 15 schools based on the prioritized list created pursuant
- 16 subsection (f);
- 17 (2) If the department's priority under subsection (f) has
- 18 been met and there are funds remaining, the department
- 19 shall use the funds to repair and maintain existing
- 20 air conditioning units; and
- 21 (3) If the department meets the requirements of paragraphs
- 22 (2) and (3) and there are funds remaining, the



1 department shall deposit the funds into a separate
2 account and such funds shall be used for air
3 conditioning repair and maintenance at public schools
4 as needed.

5 (h) For purposes of this section, funds that are
6 appropriated to the department for air conditioning shall be
7 considered expended upon the receipt of funds by the department.

8 (i) When air conditioning is installed in a public school
9 by any entity other than the department or the department of
10 accounting and general services, the department may require that
11 the approximate cost of electricity and maintenance for the air
12 conditioning be paid by a private entity until the department
13 establishes temperature and noise standards and a policy
14 relating to air conditioning."

15 SECTION 3. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$25,000,000 or so
17 much thereof as may be necessary for fiscal year 2014-2015 for
18 the department of education to install air conditioning in
19 public schools pursuant to this Act.

20 The sum appropriated shall be expended by the department of
21 education for the purposes of this Act.

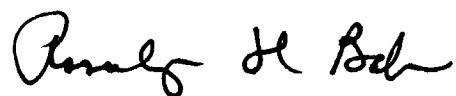
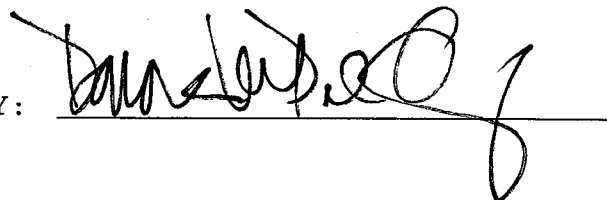
22 SECTION 4. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval;
2 provided that section 3 shall take effect on July 1, 2014.

3

INTRODUCED BY:



Report Title:

Department of Education; Air Conditioning; Noise Control;
Appropriation

Description:

Requires the department of education to plan for and request funds necessary to implement acoustic noise control and air conditioning at existing and new school facilities. Requires the department of education to develop standards to determine whether acoustic noise control of existing and new schools is necessary. Requires the installation of air conditioning in all public schools based upon a priority list established by the department of education. Makes an appropriation to the department of education for air conditioning in public schools.

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

