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## A BILL FOR AN ACT

RELATING TO SCHOOLS.

**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 is the learning  
3 environment in public schools. In addition to the high  
4 standards that Hawaii sets for students in the school system,  
5 students need an environment where they can learn under  
6 conditions that are not physically uncomfortable and free from  
7 unnecessary distractions. Given Hawaii's tropical climate and  
8 heat, schools should be equipped with air conditioning to ensure  
9 that students have the most conducive, comfortable learning  
10 environment to achieve their educational potential.

11           The purpose of this Act is to require the installation of  
12 air conditioning in all public schools based upon the priority  
13 established by the department of education.

14           SECTION 2. Section 302A-1501, Hawaii Revised Statutes, is  
15 amended to read as follows:

16           "**[+]§302A-1501[+]** **Noise and climate control at school**  
17 **facilities.** (a) This Act shall be known and may be cited as  
18 the "First Things First Act."



1           ~~[(a)]~~ (b) The department shall plan for, and request  
2 appropriations necessary to implement~~[, acoustic]~~ the following:

3           (1) Acoustic noise control ~~[and air conditioning]~~ of  
4 existing and new school facilities in areas that are  
5 ~~[susceptible to extremes of temperature or]~~ affected  
6 by aircraft, traffic, and other noise~~[-]~~; and

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

9 The department shall develop appropriate standards and consider  
10 local conditions ~~[for]~~ in deciding whether acoustic noise  
11 control and air conditioning of existing and new school  
12 facilities are required for effective classroom instruction~~[-]~~,  
13 including standards to justify why acoustic noise control or air  
14 conditioning is not needed. ~~[In all cases where]~~ Where acoustic  
15 treatment of school facilities is planned, the department shall  
16 utilize the services of individuals qualified by training and  
17 experience to recommend appropriate noise control procedures and  
18 components. Acoustic noise control and air conditioning shall  
19 be given equal weight ~~[as]~~ with all other factors in the  
20 criteria used by the department in setting priorities for school  
21 construction and renovations.



1           ~~[(b) In any case where]~~ (c) Where air conditioners are  
2 installed in a particular school, the department may require  
3 that the approximate cost of electricity and maintenance for air  
4 conditioners not installed by the department of accounting and  
5 general services be paid by a private entity until the  
6 department establishes temperature and noise standards and a  
7 policy relating to air conditioning.

8           (d) Based upon the standards established in subsection  
9 (b), the department shall establish a priority list of schools  
10 by December 31, 2007 that are in greatest need of air  
11 conditioning; provided that if any administrative office in a  
12 departmental school district has air conditioning, then the  
13 department shall include all schools in that district on the  
14 priority list to have air conditioning installed. Based on the  
15 priority list, air conditioning shall be installed in school  
16 facilities as follows, the:

17           (1) First twenty per cent of schools on the priority list  
18           by December 31, 2008;

19           (2) Second twenty per cent of schools on the priority list  
20           by December 31, 2009;

21           (3) Third twenty per cent of schools on the priority list  
22           by December 31, 2010;

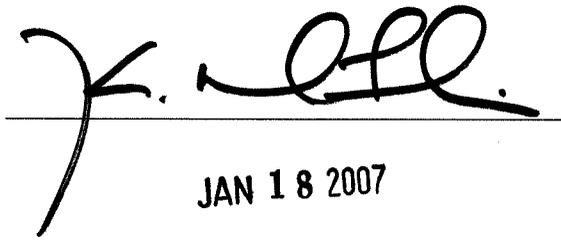


- 1        (4) Fourth twenty per cent of schools on the priority list  
2                by December 31, 2011; and  
3        (5) Fifth twenty per cent of schools on the priority list  
4                by December 31, 2012."

5                SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7                SECTION 4. This Act shall take effect upon its approval.

8

INTRODUCED BY: 

JAN 18 2007



**Report Title:**

Public Schools; Air Conditioning

**Description:**

Requires the department of education to establish a priority list of public schools with the greatest need for air conditioning and to install air conditioning, based on the priority list.

