

JAN 23 2009

A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

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

1 SECTION 1. The legislature finds that the development of
2 additional public housing is essential to the well-being of
3 Hawaii's poorest residents. The ability of the State to provide
4 an adequate supply of safe, affordable public housing can be
5 enhanced by public-private partnerships that authorize private
6 entities to undertake all or a portion of the study, planning,
7 design, development, financing, acquisition, installation,
8 construction, improvement, operation, or maintenance of public
9 housing facilities. Public-private partnership public housing
10 projects provide a sound economic investment opportunity for the
11 private sector and the State with increased options to develop
12 the critically needed housing.

13 The purpose of this Act is to encourage joint ventures with
14 private parties for the development of public housing.

15 SECTION 2. Chapter 356D, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:



1 "§356D- Development of property; partnership or
2 development agreement. (a) Any public housing project may be
3 developed under sections 356D-11 and 356D-12 by the authority in
4 partnership or under a development agreement with a private
5 party subject to a partnership or development agreement executed
6 by the authority. At a minimum, the agreement shall provide
7 for:

- 8 (1) A determination by the authority that the partnership
9 or development agreement is for a public purpose; and
10 (2) Final approval by the authority of the plans and
11 specifications for the public housing project.

12 (b) For the development of public housing projects
13 pursuant to subsection (a), the authority shall not be subject
14 to chapter 103 and 103D and any and all other requirements of
15 law for competitive bidding for partnership or development
16 agreements, construction contracts, or other contracts; provided
17 that the authority shall develop internal policies and
18 procedures for the procurement of goods, services, and
19 construction, consistent with the goals of public accountability
20 and public procurement practices.

21 (c) The authority shall submit an annual report to the
22 legislature, no later than twenty days prior to the convening of



1 each regular session, on the status of all public housing
2 projects being developed using partnership or development
3 agreements pursuant to subsection (a).

4 (d) The authority may adopt rules pursuant to chapter 91
5 necessary for the purposes of this section."

6 SECTION 3. New statutory material is underscored.

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

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Report Title:

Hawaii Public Housing Authority; Private Partnerships

Description:

Authorizes the Hawaii public housing authority to develop public housing projects under a partnership or development agreement with a private party; provides exemptions from chapters 103 and 103D; requires annual report to the legislature.

