

MAR 07 2014

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A
PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR CORRECTIONAL
FACILITIES.

1 WHEREAS, part of the mission of the Department of Public
2 Safety (Department) is to operate a statewide system of
3 correctional facilities with professionalism, integrity, and
4 fairness; and

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6 WHEREAS, the Legislature believes that returning inmates to
7 Hawaii from facilities the State sends them to in other states
8 would be in the best interest of Hawaii and would serve the
9 economic and social interests of Hawaii's residents; and

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11 WHEREAS, the Department operates seven correctional
12 facilities on the four major Hawaiian islands; and

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14 WHEREAS, the Department's seven correctional facilities are
15 in need of modernization or expansion to meet the State's
16 current correctional needs; and

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18 WHEREAS, pursuant to section 353-16.36, Hawaii Revised
19 Statutes, the Governor may enter into and execute contracts with
20 a private entity to construct correctional facilities to be
21 leased or purchased for the benefit of the State; and

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23 WHEREAS, the State is interested in entering into a public-
24 private partnership to plan, design, construct, prepare, and
25 provide the financing for new, expanded, or renovated
26 correctional facilities statewide, as permitted under chapter
27 37D, Hawaii Revised Statutes; and

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29 WHEREAS, the State has used the type of financing agreement
30 envisioned for the correctional facilities on other projects;
31 and



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1 WHEREAS, future appropriations may be necessary for the
2 Department to meet payment obligations under this type of
3 public-private partnership agreement; and
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5 WHEREAS, financing agreements or private financing for the
6 development of correctional facilities on state lands are not
7 likely to provide better interest rates or financing costs than
8 general obligation bonds; and
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10 WHEREAS, the State could capitalize on the equity value of
11 existing assets and may desire to enter into land or property
12 agreements that may entail a sale, exchange, lease, or any
13 combination thereof, to reduce or improve future costs or
14 payment obligations of the State through a public-private
15 partnership agreement; and
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17 WHEREAS, a developer could develop lands or property sold,
18 exchanged, leased, or any combination thereof, and construct
19 improvements other than correctional facilities in the public-
20 private partnership agreement; and
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22 WHEREAS, a request for proposals to enter into a public-
23 private partnership to plan, design, construct, finance, and
24 prepare for operation, expanded, renovated, or new facilities is
25 anticipated; now, therefore,
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27 BE IT RESOLVED by the Senate of the Twenty-seventh
28 Legislature of the State of Hawaii, Regular Session of 2014, the
29 House of Representatives concurring, that the Department is
30 hereby encouraged to enter into a public-private partnership
31 agreement for the planning, design, construction, financing, and
32 preparation for operation of expanded, renovated, or new
33 correctional facilities statewide; and
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35 BE IT FURTHER RESOLVED that the Legislature supports the
36 construction of correctional facilities statewide and expresses
37 its support for future appropriations and land or property
38 agreements that may include sales, exchanges, leases, or any
39 combination thereof that may be necessary for the Department to
40 meet future payment obligations under the agreement; and
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42 BE IT FURTHER RESOLVED that certified copies of this
43 Concurrent Resolution be transmitted to the Governor, the
44 Comptroller, the Director of Finance, the Director of Public



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1 Safety, the Chairperson of the Board of Land and Natural
2 Resources, the Attorney General, the Chairperson of the Hawaiian
3 Homes Commission, and the Mayors and County Council members of
4 each county.

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OFFERED BY:

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