

MAR 07 2014

SENATE 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

5
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

10
11 WHEREAS, the Department operates seven correctional
12 facilities on the four major Hawaiian islands; and

13
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

17
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

22
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

28
29 WHEREAS, the State has used the type of financing agreement
30 envisioned for the correctional facilities on other projects;
31 and

32
33 WHEREAS, future appropriations may be necessary for the
34 Department to meet payment obligations under this type of
35 public-private partnership agreement; and



1
2 WHEREAS, financing agreements or private financing for the
3 development of correctional facilities on state lands are not
4 likely to provide better interest rates or financing costs than
5 general obligation bonds; and
6

7 WHEREAS, the State could capitalize on the equity value of
8 existing assets and may desire to enter into land or property
9 agreements that may entail a sale, exchange, lease, or any
10 combination thereof, to reduce or improve future costs or
11 payment obligations of the State through a public-private
12 partnership agreement; and
13

14 WHEREAS, a developer could develop lands or property sold,
15 exchanged, leased, or any combination thereof, and construct
16 improvements other than correctional facilities in the public-
17 private partnership agreement; and
18

19 WHEREAS, a request for proposals to enter into a public-
20 private partnership to plan, design, construct, finance, and
21 prepare for operation, expanded, renovated, or new facilities is
22 anticipated; now, therefore,
23

24 BE IT RESOLVED by the Senate of the Twenty-seventh
25 Legislature of the State of Hawaii, Regular Session of 2014,
26 that the Department is hereby encouraged to enter into a public-
27 private partnership agreement for the planning, design,
28 construction, financing, and preparation for operation of
29 expanded, renovated, or new correctional facilities statewide;
30 and
31

32 BE IT FURTHER RESOLVED that this body supports the
33 construction of correctional facilities statewide and expresses
34 its support for future appropriations and land or property
35 agreements that may include sales, exchanges, leases, or any
36 combination thereof that may be necessary for the Department to
37 meet future payment obligations under the agreement; and
38

39 BE IT FURTHER RESOLVED that certified copies of this
40 Resolution be transmitted to the Governor, the Comptroller, the
41 Director of Finance, the Director of Public Safety, the



S.R. NO. 63

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

5
6
7

OFFERED BY:

Will Lyne
James M. Alou
R
Amey de Bek

