

S.B. NO. 2917

JAN 27 2016

A BILL FOR AN ACT

RELATING TO CORRECTIONAL FACILITIES.

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

1 SECTION 1. Section 353-16.35, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§353-16.35 Development or expansion of in-state
4 correctional facilities. (a) Notwithstanding any other law to
5 the contrary, the governor, with the assistance of the director,
6 may negotiate with any person for the development or expansion
7 of private in-state correctional facilities or public in-state
8 turnkey correctional facilities to reduce prison or jail
9 overcrowding; provided that the purchase or construction of Oahu
10 community correctional center on an existing parcel in Halawa
11 Valley, adjacent to the Halawa correctional facility, is exempt
12 from section 343-5; for any other parcel if an environmental
13 assessment or environmental impact statement is required for a
14 proposed site or for the expansion of an existing correctional
15 facility under section 343-5, then notwithstanding the time
16 period specified for public review and comments under section
17 343-5, the governor shall accept public comments for a period of

S.B. NO. 2917

1 ~~[sixty]~~ thirty days following public notification of either an
2 environmental assessment or an environmental impact statement.

3 (b) Any development or expansion proposal may address the
4 construction of the facility together with, or separate from,
5 the operation of the facility and shall consider and include:

6 (1) The percentage of low, medium, and high security
7 inmates and the number of prison or jail beds needed to
8 incarcerate each of the foregoing classes of inmates;

9 (2) The facility's impact on existing infrastructure, and
10 an assessment of improvements and additions that will be
11 necessary;

12 (3) The facility's impact on available modes of
13 transportation, including airports, roads, and highways; and

14 (4) A useful life costs analysis.

15 (c) For the purposes of this section, "useful life costs"
16 means an economic evaluation that compares alternate building
17 and operating methods and provides information on the design,
18 construction methods, and materials to be use with respect to
19 efficiency in building maintenance and facilities operation."

20 SECTION 2. Section 353-16.37, Hawaii Revised Statutes, is
21 amended to read as follows:

1 "§353-16.37 Community partnering. Regardless of the
2 method for funding new prison or jail facilities, the department
3 of public safety shall develop and implement a community
4 partnering process to be incorporated into [~~any request for~~
5 ~~proposal~~] the planning of any new prison or jail; this
6 partnering process shall include a community hearing for the
7 purpose of soliciting community input. Further, a community
8 benefit and enhancement package shall be developed by the
9 department and the affected community to mitigate the negative
10 aspects of building a correctional facility in the community.
11 The benefit and enhancement package may include but is not
12 limited to:

- 13 (1) Infrastructure improvements;
- 14 (2) Job training programs or improvements to schools and
15 health care facilities;
- 16 (3) Social programs; and
- 17 (4) Other government functions.

18 SECTION 3. The director of finance is authorized to issue
19 general obligation bonds in the sum of \$489,300,000.00 or so
20 much thereof as may be necessary and the same sum or so much
21 thereof as may be necessary is appropriated for fiscal year
22 2016-2017 to the department of public safety for the purpose of

S.B. NO. 2917

1 purchasing jail facilities for up to 1,000 beds on a turn-key
2 basis, to include jail housing units and support buildings, for
3 the Oahu community correction center to be located adjacent to
4 Halawa correctional facility.

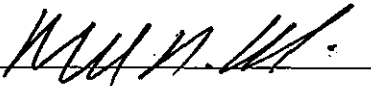
5 SECTION 4. The appropriation made for the capital
6 improvement project authorized by this Act shall not lapse at
7 the end of the fiscal biennium for which the appropriation is
8 made; provided that all moneys unencumbered as of June 30, 2018,
9 shall lapse as of that date.

10 SECTION 5. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2016.

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INTRODUCED BY: 

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BY REQUEST

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S.B. NO. 2917

Report Title:

RELATING TO CORRECTIONAL FACILITIES.

Description:

Creates an exemption from Hawai'i Revised Statutes §343-5 for a jail facility to be built adjacent to Halawa Correctional Facility and funding therefore and makes clarifying amendments.

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

JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES.

PURPOSE: To facilitate in an expeditious and efficient manner the development or expansion of in-state correctional facilities.

MEANS: Amend sections 353-16.35 and 353-16.37, Hawaii Revised Statutes (HRS).

JUSTIFICATION: The Department of Public Safety requires the changes to sections 353-16.35 and 353-16.37, Hawaii Revised Statutes (HRS) to expeditiously and efficiently house and manage its prisons and jails populations.

Impact on the public: Will provide the needed space and tools to properly house and serve Oahu's preconviction detainees and inmates.

Impact on the department and other agencies: Assist the Department of Public Safety with more appropriately addressing the housing and security needs for the inmate population it is required to serve.

GENERAL FUND: None.

OTHER FUNDS: General Obligation Bonds.

PPBS PROGRAM DESIGNATION: PSD 900.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: July 1, 2016.