

Honolulu, Hawaii
February 9, 2016

RE: H.B. No. 2388
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred H.B. No. 2388 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to facilitate in an expeditious and efficient manner the development or expansion of in-state correctional facilities by exempting the State from performing an environmental impact statement or assessment for the purchase or construction of a correctional facility at the Halawa Correctional Facility, appropriating funds for the new correctional facility, and making clarifying amendments to the Governor's authority to contract for correctional facilities.

The Department of Public Safety, Department of Accounting and General Services, Building Industry Association of Hawaii, and Chamber of Commerce Hawaii supported this measure. Hoomana Pono, LLC; Kalihi Palama Hawaiian Civic Club; Community Alliance on Prisons; Life of the Land; The CHOW Project; and two concerned individuals opposed this measure. The Department of the Attorney General and the Office of Hawaiian Affairs offered comments on the measure.

Your Committee has amended this measure by:

- (1) Inserting a purpose section;



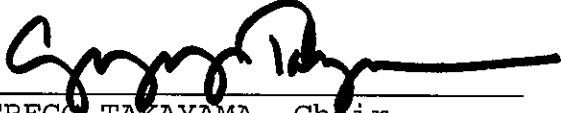
- (2) Clarifying that the purchase or construction of a correctional center on an existing parcel of the Halawa Correctional Facility is exempt from an environmental impact statement or assessment;
- (3) Requiring the Governor to conduct a feasibility study on redevelopment of the land that is currently occupied by the Oahu Community Correctional Center if that facility were to be relocated or rebuilt on its current site in a manner that would make portions of that land available for redevelopment;
- (4) Specifying design, programmatic, and financing requirements for a new Oahu Community Correctional Center;
- (5) Amending the bond authorization for the Oahu Community Correctional Center to reflect an unspecified amount for the purpose of purchasing jail facilities for up to 1,250 beds on a turn-key basis, to include jail housing units and support buildings;
- (6) Appropriating an unspecified amount of funds for the plans, design, and construction of the relocated Maui Community Correctional Center; and
- (7) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

Your Committee strongly supports the need for a new Oahu Community Correctional Center and notes the concerns from the Administration, Department of Public Safety, Department of Accounting and General Services and other stakeholders regarding the need to balance efficiency and cost savings with the interests of transparency and of environmental, historical, and cultural stewardship. Should the Joint Committees on Energy & Environmental Protection and Water & Land further deliberate on this measure, your Committee respectfully requests that those Committees consider the environmental assessment or impact statement exemption proposed in this measure. Specifically, your Committee requests consideration of whether the proposed exemption is warranted, concerns raised by the Attorney General regarding constitutional prohibitions on special legislation for lands owned by the State, and the Attorney General's proposed amendment to limit the environmental assessment or impact statement exemption.



As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2388, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2388, H.D. 1, and be referred to your Committees on Energy & Environmental Protection and Water & Land.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



GREGG TAKAYAMA, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 130-14

Record of Votes of the Committee on Public Safety

Bill/Resolution No.: HB 2388	Committee Referral: PBSEEP/WAL, FIN	Date: 2-4-16		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. HAR, Sharon E.	/			
5. ICHIYAMA, Linda	/			
6. JOHANSON, Aaron Ling	/			
7. KEOHOKALOLE, Jarrett		/		
8. NAKASHIMA, Mark M.	/			
9. SAN BUENAVENTURA, Joy A.	/	/		
10. TAKUMI, Roy M.	/			
11. TUPOLA, Andria P.L.		/		
TOTAL (11)	8	3		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				