



GOV. MSG. NO. 1103

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

February 13, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813


Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on February 13, 2012, the following bill was signed into law:

SB809 SD1 HD1 CD1

RELATING TO THE UNIVERSITY OF HAWAII.
Act 003 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with article VII, section 9, of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The purpose of this Act is to increase the
5 University of Hawaii's authorization to issue revenue bonds from
6 a total principal amount not to exceed \$200,000,000 to a total
7 principal amount not to exceed \$300,000,000, for the purpose of
8 financing the University of Hawaii's priority capital facility
9 construction, renovation, and repair projects that qualify for
10 revenue bonds.

11 An increase in the University of Hawaii's authority to
12 issue revenue bonds is necessary to enable the University of
13 Hawaii to continue addressing its growing capital facility
14 needs, including new project construction and the major repair
15 and maintenance backlog of its older facilities, as well as to
16 take advantage of opportunities for acquisitions, projects, and
17 financing that may arise.



1 For example, the Culinary Institute of the Pacific at
2 Diamond Head is fully entitled and phase I is ready to go out to
3 bid for construction. Federal and private funds have been
4 secured to match the revenue dollars needed for the phase I
5 classrooms and laboratories. If the ability to issue the
6 revenue bonds is delayed until after July 1, 2012, there may be
7 a negative impact on bid and interest costs and matching federal
8 and private funds may be put at risk.

9 The passage of this Act will provide sufficient financial
10 flexibility to the University of Hawaii system to obtain
11 additional funding to continue to improve and maintain its
12 facilities for the successful accomplishment of its core
13 education and research mission at a time when current interest
14 rates are favorable due to existing economic conditions. In
15 addition, passage of this Act will provide employment
16 opportunities for those whose jobs have been impacted by the
17 economic downturn. This Act will put people back to work and
18 will help to increase economic growth in the State.

19 SECTION 3. Act 161, Session Laws of Hawaii 2007, sections
20 6 and 7, as amended by Act 94, Session Laws of Hawaii 2009,
21 section 2, are amended to read as follows:



1 "SECTION 6. The board of regents of the University of
2 Hawaii, with the approval of the governor, is authorized to
3 issue revenue bonds from time to time to finance, in whole or in
4 part, the costs of construction or the costs of maintenance of
5 any university project, including reserves therefor as the board
6 of regents may direct. The total principal amount of the
7 revenue bonds authorized by this Act shall not exceed
8 [~~\$200,000,000,~~] \$300,000,000; provided that neither revenue
9 bonds issued to refund revenue bonds heretofore issued, to the
10 extent that such refunding revenue bonds do not exceed the
11 principal amount of the revenue bonds being refunded, nor
12 revenue bonds of the board outstanding at the effective date of
13 this Act shall cause the amount of the above authorization to be
14 decreased. The revenue bonds shall be issued pursuant to the
15 provisions of part VI of chapter 304A, Hawaii Revised Statutes.
16 The principal and interest on the revenue bonds, to the extent
17 not paid from the proceeds of such bonds, shall be paid solely
18 from and secured solely by the revenue of the university as
19 defined in section 304A-2671, Hawaii Revised Statutes.

20 SECTION 7. There is appropriated out of the revenue bond
21 proceeds authorized by this Act the sum of \$100,000,000 or so
22 much thereof as may be necessary for fiscal year 2008-2009 to



1 carry out the purposes of section 6 of this Act; provided that
2 any unexpended and unencumbered balance of the appropriation
3 shall not lapse at the end of fiscal year 2008-2009 and shall
4 lapse instead on June 30, 2013.

5 There is also appropriated out of the revenue bond proceeds
6 authorized by this Act, the sum of \$100,000,000 or so much
7 thereof as may be necessary for fiscal year 2009-2010 to carry
8 out the purposes of section 6 of this Act; provided that any
9 unexpended and unencumbered balance of the appropriation shall
10 not lapse at the end of fiscal year 2009-2010 and shall lapse
11 instead on June 30, 2015.

12 There is also appropriated out of the revenue bond proceeds
13 authorized by this Act, the sum of \$100,000,000 or so much
14 thereof as may be necessary for fiscal year 2011-2012 to carry
15 out the purposes of section 6 of this Act; provided that any
16 unexpended and unencumbered balance of the appropriation shall
17 not lapse at the end of fiscal year 2011-2012 and shall lapse
18 instead on June 30, 2017.

19 The sums appropriated shall be expended by the board of
20 regents of the University of Hawaii."

21 SECTION 4. The University of Hawaii shall notify the
22 legislature upon the issuance of the additional revenue bonds



1 authorized by section 3 of this Act, including a detailed
2 listing and description of all projects to be funded through the
3 revenue bonds authorized pursuant to this Act.

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

6 SECTION 6. This Act shall take effect upon its approval.

APPROVED this **13** day of **FEB**, 2012


GOVERNOR OF THE STATE OF HAWAII