



GOV. MSG. NO. 1267

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 26, 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 June 26, 2012, the following bill was signed into law:

HB1398 HD1 SD1 CD1

RELATING TO THE HAWAII PUBLIC HOUSING  
AUTHORITY.  
**Act 164 (12)**

*Aloha*  
Sincerely,  
*Neil Abercrombie*

NEIL ABERCROMBIE  
Governor, State of Hawaii

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# A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

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

1           SECTION 1. The legislature finds that the development of  
2 additional public housing is essential to the well-being of  
3 Hawaii's poorest residents. The ability of the State to provide  
4 an adequate supply of safe, affordable public housing can be  
5 enhanced by public-private partnerships that authorize private  
6 entities to undertake all or a portion of the study, planning,  
7 design, development, financing, acquisition, installation,  
8 construction, improvement, operation, or maintenance of public  
9 housing facilities. Public-private partnership public housing  
10 projects provide a sound economic investment opportunity for the  
11 private sector and the State with increased options to develop  
12 this critically needed housing.

13           The purpose of this Act is to encourage joint ventures with  
14 private parties for the development of public housing.

15           SECTION 2. Chapter 356D, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:



1           "§356D-           Development of property; partnership or  
2 development agreement. (a) Any public housing project may be  
3 developed under sections 356D-11 and 356D-12 by the authority in  
4 partnership or under a development agreement with a private  
5 party; provided that a written partnership or development  
6 agreement is executed by the authority. At a minimum, the  
7 partnership or development agreement shall provide for:

8           (1) A determination by the authority that the partnership  
9           or development agreement is for a public purpose; and

10           (2) Final approval by the authority of the plans and  
11           specifications for the public housing project.

12           (b) For the development of public housing projects  
13 pursuant to subsection (a), except as provided by federal law or  
14 regulation, the authority shall not be subject to chapters 103  
15 and 103D or any and all other requirements of law for  
16 competitive bidding for partnership or development agreements,  
17 construction contracts, or other contracts; provided that the  
18 authority shall develop internal policies and procedures for the  
19 procurement of goods, services, and construction, consistent  
20 with the goals of public accountability and public procurement  
21 practices.



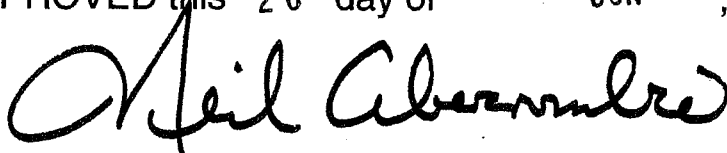
1        (c) The authority shall submit an annual report to the  
2 legislature, no later than twenty days prior to the convening of  
3 each regular session, on the status of all public housing  
4 projects being developed using partnership or development  
5 agreements pursuant to subsection (a).

6        (d) The authority may adopt rules pursuant to chapter 91  
7 necessary for the purposes of this section."

8        SECTION 3. New statutory material is underscored.

9        SECTION 4. This Act shall take effect on July 1, 2012.

APPROVED this 26 day of JUN, 2012



GOVERNOR OF THE STATE OF HAWAII

