
HOUSE CONCURRENT RESOLUTION

ENCOURAGING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A
PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING,
DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF EXPANDED,
RENOVATED, OR NEW CORRECTIONAL FACILITIES STATEWIDE.

1 WHEREAS, part of the mission of the Department of Public
2 Safety is to provide for public safety in Hawaii's communities
3 through the provision of correctional services with
4 professionalism, integrity, and fairness; and
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6 WHEREAS, the Legislature believes that transferring
7 incarcerated persons back to Hawaii from the mainland is in the
8 best interest of the State as it serves and benefits the
9 economic and social interests of its citizens; and
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11 WHEREAS, the Department of Public Safety currently operates
12 a total of seven correctional facilities on Hawaii Island,
13 Kauai, Maui, and Oahu; and
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15 WHEREAS, the Department of Public Safety's seven
16 correctional facilities are in need of modernization or
17 expansion to meet the State's current correctional needs; and
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19 WHEREAS, pursuant to section 353-16.36, Hawaii Revised
20 Statutes, the Governor may enter into and execute contracts in
21 the name of the State with any private entity to construct and
22 then lease or purchase correctional facilities on public or
23 private lands for the benefit of the State; and
24

25 WHEREAS, the State is interested in promoting a public-
26 private partnership to plan, design, construct, turnkey, and
27 provide the financing thereof, as permitted under chapter 37D,
28 Hawaii Revised Statutes, for expanded, renovated, or new
29 correctional facilities statewide; and



1 WHEREAS, similar financing agreements have been used by the
2 State for other projects as an alternative funding mechanism as
3 permitted under chapter 37D, Hawaii Revised Statutes; and
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5 WHEREAS, the Legislature recognizes that ultimately, there
6 could be a requirement for future appropriations that would be
7 necessary for the Department of Public Safety to meet any future
8 payment obligations under the public-private partnership
9 agreement; and
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11 WHEREAS, the Legislature further recognizes that financing
12 agreements or private financing for the development of
13 correctional facilities on state lands will likely not provide
14 better interest rates or financing costs than general obligation
15 bonds; and
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17 WHEREAS, the Legislature further recognizes that the State
18 could capitalize on equity value of its existing assets and may
19 desire to enter into land or property agreements that may entail
20 the sale, exchange, lease, or any combination thereof, to reduce
21 or improve future costs or payment obligations of the State
22 through a public-private partnership agreement; and
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24 WHEREAS, the Legislature further recognizes that the
25 developer could develop such lands or property sold, exchanged,
26 leased, or any combination thereof, for something other than
27 correctional facilities in the public-private partnership
28 agreement; and
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30 WHEREAS, a request for proposals for the Department of
31 Public Safety to enter into a public-private partnership to
32 plan, design, construct, turnkey, and finance the development of
33 the expanded, renovated, or new facilities should be encouraged;
34 now, therefore,
35

36 BE IT RESOLVED by the House of Representatives of the
37 Twenty-seventh Legislature of the State of Hawaii, Regular
38 Session of 2014, the Senate concurring, that the Department of
39 Public Safety is encouraged to enter into a public-private
40 partnership agreement for the planning, design, construction,
41 turnkey, and financing of expanded, renovated, or new
42 correctional facilities statewide; and



1 BE IT FURTHER RESOLVED that this body supports the
 2 construction of correctional facilities statewide and expresses
 3 its current support for future appropriations and land or
 4 property agreements that may include selling, exchanging,
 5 entering into lease agreements, or any combination thereof, that
 6 may be necessary for the Department of Public Safety to meet any
 7 future payment obligations under the agreement; and

8
 9 BE IT FURTHER RESOLVED that certified copies of this
 10 Concurrent Resolution be transmitted to the Governor, Attorney
 11 General, Comptroller, Director of Finance, Director of Public
 12 Safety, Chairperson of the Board of Land and Natural Resources,
 13 Chairperson of the Hawaiian Homes Commission, and the Mayors and
 14 County Council chairpersons of each county.

OFFERED BY:

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