



HAWAIIAN HOME LANDS

HAWAIIAN HOMES COMMISSION · DEPARTMENT OF HAWAIIAN HOME LANDS

**ACT 279 WORKING GROUP
INFORMATIONAL BRIEFING**

OCTOBER 23, 2023



HHL-01(24)

RELATING TO INDEPENDENT LEGAL COUNSEL:

This proposal allows the Hawaiian Homes Commission to retain independent legal counsel to be paid by the State and use the services of the attorney general as needed when the interests of the State and the Hawaiian Homes Commission are aligned.

- Independent Legal Counsel in line with trust responsibility and for development purposes.
- Efficiency in process and timeline for expected outcomes in a timely manner.
- Helpful for Hawaiian Homes Commission to make informed decisions regarding land acquisition and other initiatives or issues.



HHL-02(24)

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT:

This proposal adds the Chair of the Hawaiian Homes Commission or the Chair's designee to the Commission on Water Resource Management.

- Representation on CWRM can help to secure water credits and ensure water allocations for Hawaiian Home Lands and its beneficiaries.
- Informed and efficient collaboration with DLNR-CWRM.



HHL-03(24)

RELATING TO HOUSING:

This proposal exempts any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes.

- The savings resulting from the exemption from general excise and use taxes that DHHL can potentially accrue from this bill would be applied to the development of additional housing and associated infrastructure.
- General Excise and Use Taxes for the \$600M appropriated through Act 279 can be estimated to be approx. \$24M.



HHL-04(24)

RELATING TO HISTORIC PRESERVATION REVIEWS:

This proposal allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

- Efficiency in process and timeline to meet expected outcomes in a timely manner through the ability to expedite the construction of proposed projects.

Current SHPD Review Times

Total Time for initial consult: 30 days

Total Time to review survey, evaluations, effect, and mitigation commitments: 45 days

Total Time to review mitigation plans: 45 days

Total time to accept verification reports: 45 days

Maximum total time: 165 days

[State Historic Preservation | HRS 6E-8 & 6E-42 Review Process \(hawaii.gov\)](#)



HHL-06(24)

RELATING TO SCHOOL IMPACT FEES:

This proposal repeals the July 1, 2024, sunset of Act 197, Session Laws of Hawaii 2021, to make permanent the exclusion of housing developed by the Department of Hawaiian Home Lands from school impact fees.

- Exempting housing developed by the DHHL from school impact fees will allow for more homes to be developed for beneficiaries.
- The DHHL currently leases educational facilities for public schools, public charter schools, early learning facilities, and other similar facilities at minimal to no cost.



HHL-07(24)

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS:

This proposal allows for the expenditure of funds appropriated in Act 279, Session Laws of Hawaii 2022 until June 30, 2025.

- The Attorney General's Office has confirmed that Act 279 authorization is until June 30, 2024. If funds will still need to be encumbered after June 30, 2024, then the bill would lapse and reappropriate the funds to June 30, 2025 to be consistent with the legislative intent of Act 279.



HHL-09(24)

RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION:

This proposal adds the Chair of the Hawaiian Homes Commission or the Chair's designee to the Hawaii Housing Finance and Development Corporation.

- Helps to ensure efficient communication and collaboration with HHFDC for shared interests and possible solutions for common issues.



HHL-10(24)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY:

This proposal adds the Chair of the Hawaiian Homes Commission or the Chair's designee to the Hawaii Community Development Authority.

- Representation would allow for opportunities for education and collaboration with HCDA.
- Efficient development of community infrastructure and underutilized urban areas of Hawaii.



HHL-11(24)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT:

This proposal increases the loan limit for DHHL Direct Loans to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the Federal Housing Administration (FHA), instead of fifty percent, as currently outlined in Section 215 of the Hawaiian Homes Commission Act, 1920, as amended.

- With the higher cost to construct or purchase a home, increasing the loan limit from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by FHA will allow beneficiaries to purchase or make improvements to their home.



HHL-12(24)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT:

This proposal increases the allowable loan term for DHHL Direct Loans made available to be forty years, instead of thirty years, as currently outlined in Section 215 of the Hawaiian Homes Commission Act, 1920, as amended.

- Will allow for lower monthly payment amounts for the beneficiary.
- Will allow for the loan term to be closer to the loan term of the United States Department of Agriculture's Section 502 Direct Loan Program, which is thirty-eight years.



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