
A BILL FOR AN ACT

RELATING TO LAND ACQUISITION.

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

1 SECTION 1. In its final report dated January 2006, the
2 joint legislative housing and homeless task force expressed
3 concern that the inventory of affordable housing rental units is
4 at risk of being reduced. Affordable rental housing projects
5 built in part with government subsidies have been offered for
6 sale at market prices in anticipation of the expiration of
7 income and regulatory restrictions encumbering the property.
8 The task force is committed to ensuring that these units remain
9 affordable to persons at lower income levels.

10 In recent months, media reports have announced several
11 affordable housing projects that may be offered for sale, such
12 as the Kulana Nani apartments in Kaneohe, Oahu, that offer
13 affordable rental housing.

14 The purpose of this Act is to preserve Kulana Nani as an
15 affordable rental housing project.

16 SECTION 2. The legislature finds that:



1 (1) Kulana Nani is a unique affordable housing resource in
2 Kaneohe, Oahu, that provides low-income housing for
3 working residents, senior citizens, and the disabled;

4 (2) Kulana Nani supports the character of the neighborhood
5 by being a primary source of workforce housing for
6 Kaneohe;

7 (3) The affordable rental units in Kulana Nani are
8 irreplaceable in the current housing market; and

9 (4) The residents, surrounding community, and Oahu as a
10 whole would benefit from the active intervention of
11 the State in this transaction to ensure that there is
12 no negative impact on current and future residents.

13 The legislature therefore declares that it is in the public
14 interest and is required for public use to acquire the land
15 under Kulana Nani by exercise of the power of eminent domain.

16 The legislature further declares that it is necessary to provide
17 for the public financing of the acquisition of the Kulana Nani
18 property by condemnation through the expenditure of general
19 funds and any available revenue bond proceeds and private funds
20 at the disposal of the State.

21 SECTION 3. The Hawaii housing finance and development
22 administration shall immediately initiate negotiations with

1 Kamehameha Schools to ensure state acquisition of the Kulana
 2 Nani property, and may partner with a private developer for
 3 acquisition of the property; provided that one hundred per cent
 4 of the housing units on the property shall be retained in
 5 perpetuity as affordable housing for households at or below the
 6 income restrictions for rental housing units on the property as
 7 of the effective date of this Act; provided further that if an
 8 agreement to acquire the property is not reached within a
 9 reasonable time, the Hawaii housing finance and development
 10 administration shall exercise its power of eminent domain to
 11 acquire the property. For the purposes of this Act, and
 12 notwithstanding any provision of section 201G-16, Hawaii Revised
 13 Statutes, to the contrary, condemnation of the Kulana Nani
 14 property shall not be subject to legislative disapproval.

15 The Hawaii housing finance and development administration
 16 shall submit a report to the legislature no later than twenty
 17 days prior to the convening of the regular session of 2007
 18 regarding its efforts to ensure acquisition of the Kulana Nani
 19 property and its recommendations for financing the purchase of
 20 the property.

21 SECTION 4. There is appropriated out of the general
 22 revenues of the State of Hawaii the sum of \$, or so

1 much thereof as may be necessary for fiscal year 2006-2007, for
2 land acquisition of the Kulana Nani property, tax map key
3 (I) 4-6-31:15, owned by Kamehameha Schools.

4 The sum appropriated shall be expended by the Hawaii
5 housing finance and development administration for the purposes
6 of this Act.

7 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Kulana Nani Acquisition

Description:

Appropriates an unspecified amount to acquire the property currently known as Kulana Nani Apartments from Kamehameha Schools. Authorizes eminent domain proceedings should the negotiations be unsuccessful. (SD1)

