

STAND. COM. REP. NO.

1302

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 1268
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Housing, to which was referred S.B. No. 1268, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING,"

beg leave to report as follows:

The purpose of this bill is to encourage and support the development of affordable housing by the Department of Hawaiian Home Lands (DHHL) by:

- (1) Authorizing the counties to issue affordable housing credits to, and approve a transfer or assignment of, those credits by DHHL; and
- (2) Providing that the credits are to be issued on a one-for-one basis and may be applied by the developer who built the affordable units to any project within the same county where the credits were earned to satisfy county affordable housing obligations.

DHHL, the Sovereign Councils of the Hawaiian Homelands Assembly, Hawaii Developers' Council, Chamber of Commerce of Hawaii, Building Industry Association of Hawaii, Gentry Homes, Ltd., Council for Native Hawaiian Advancement, Pacific Resource Partnership, Maluohai Residents' Association, and a concerned individual supported this bill. The Department of Planning and Permitting of the City and County of Honolulu opposed this

SB1268 HD1 HSCR HAW-HSG HMS 2009-3407



measure. A member of the Maui County Council commented on this bill.

Your Committees have concerns that allowing DHHL's housing developments to satisfy the affordable housing requirements of other developers would result in the segregation of low-income housing in certain areas of the islands, or on certain islands, defeating the purpose of integrating affordable housing with other types of new developments throughout the state. In addition, it is unclear from the new language whether the credit requires county approval.

Accordingly, this bill has been amended by:

- (1) Clearly restricting credits to the county in which the corresponding DHHL development is located;
- (2) Clarifying that the county has the power to authorize the credit, and deny or approve any transfer of the credit by DHHL; and
- (3) Providing that this measure will sunset on July 1, 2011.

It is your Committees' intention that affordable housing developed under this bill should not be segregated on a single island, and that each island should share equally in the benefits and burdens of both luxury and affordable developments.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1268, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1268, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Housing,



RIDA CABANILLA, Chair

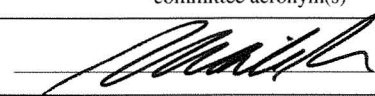


MELE CARROLL, Chair



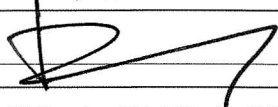
State of Hawaii
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The Twenty-fifth Legislature

Record of Votes of the Committee on Hawaiian Affairs

Bill/Resolution No.: SB 1268, SD2 (SSCR SOS)	Committee Referral: HAW/HSG, FIN	Date: 3-25-2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. CARROLL, Mele (C)	✓			
2. SHIMABUKURO, Maile S.L. (VC)	✓			
3. BELATTI, Della Au	✓			
4. BERTRAM, Joe, III		✓		
5. BROWER, Tom				✓
6. MIZUNO, John M.	✓			
7. NISHIMOTO, Scott Y.	✓			
8. YAMANE, Ryan I.	✓			
9. WARD, Gene		✓		
TOTAL (9)	6	2	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

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Record of Votes of the Committee on Housing

Bill/Resolution No.: SB 1268 SD2	Committee Referral: HAW/HSG, FIN	Date: 3-25-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida (C)	<input checked="" type="checkbox"/>			
2. CHONG, Pono (VC)	<input checked="" type="checkbox"/>			
3. CHANG, Jerry L.	<input checked="" type="checkbox"/>			
4. COFFMAN, Denny	<input checked="" type="checkbox"/>			
5. HAR, Sharon E.	<input checked="" type="checkbox"/>			
6. HERKES, Robert N.	<input checked="" type="checkbox"/>			
7. ITO, Ken				<input checked="" type="checkbox"/>
8. LEE, Chris	<input checked="" type="checkbox"/>			
9. LUKE, Sylvia				<input checked="" type="checkbox"/>
10. MORITA, Hermina M.				<input checked="" type="checkbox"/>
11. SAGUM, Roland D., III				<input checked="" type="checkbox"/>
12. CHING, Corinne W.L.				<input checked="" type="checkbox"/>
13. THIELEN, Cynthia				<input checked="" type="checkbox"/>
TOTAL (13)	7			6
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
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