

Honolulu, Hawaii

Feb 26, 2010

RE: H.B. No. 2918
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and
Housing, to which was referred H.B. No. 2918 entitled:

"A BILL FOR AN ACT RELATING TO KAKAAKO COMMUNITY DEVELOPMENT
DISTRICT,"

beg leave to report as follows:

The purpose of this bill is to help facilitate construction
in the Kakaako Community Development District by authorizing the
Hawaii Community Development Authority to enter into development
agreements.

The Land Use Research Foundation of Hawaii, Kamehameha
Schools, and Group 70 International testified in support of this
bill. Marshall Realty, Inc., and several concerned individuals
opposed this measure. The Hawaii Community Development Authority
provided comments.

Your Committees acknowledge the concerns raised regarding the
adequacy of the reserved housing requirements with respect to
development agreements and believe that this issue merits further
discussion.

Your Committees have amended this bill by:

- (1) Specifying a reserved housing requirement for all
development agreements;



- (2) Removing language stating that development agreements shall provide that all development rights in the development agreement shall be deemed vested upon the execution of the development agreement;
- (3) Specifying that the development agreement shall control in the event of a conflict between the development agreement and the approved master plan;
- (4) Removing language that provided that development agreements are subject only to those laws, regulations, and ordinances in effect at the time of the original development agreement, and are not subject to subsequent laws, regulations, or ordinances;
- (5) Removing language that made the provisions of this bill applicable retroactively; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2918, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2918, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, &
Ocean Resources and Housing,



RIDA CABANILLA, Chair



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR536

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB 2918	Committee Referral: WLO/HSG	Date: 2/22/10		
<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)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida		✓		
4. CHANG, Jerry L.		✓		
5. CHONG, Pono				✓
6. COFFMAN, Denny				✓
7. HERKES, Robert N.				✓
8. LEE, Chris		✓		
9. LUKE, Sylvia				✓
10. MORITA, Hermina M.				✓
11. SAGUM, Roland D., III		✓		
12. CHING, Corinne W.L.		✓		
13. THIELEN, Cynthia	✓			
TOTAL (13)	3	5	0	5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
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