

STAND. COM. REP. NO.

482

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 721

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 721 entitled:

"A BILL FOR AN ACT RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS,"

begs leave to report as follows:

The purpose of this measure is to change the authority of the Hawaii Community Development Authority (HCDA) to assess the costs of providing public facilities against real property in the community development district from mandatory to discretionary.

Testimony in support of this measure was submitted by one private organization and five public citizens. Testimony in support of the intent of the measure, with comments, was provided by one state agency. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that currently, the HCDA is required to assess part of the cost of providing public facilities within improvement districts against real property specially benefiting from such improvements. However, there are concerns from affected small business landowners that these mandatory assessments could make it prohibitive to do business within the HCDA improvement districts. Further, landowners may also lose property to accommodate improvements, such as widening of rights-of-way. Your Committee finds that these hardships may be better addressed if the HCDA is given specific discretion regarding whether to assess these costs or not.

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As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 721 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Water, Land, Agriculture, and Hawaiian Affairs,

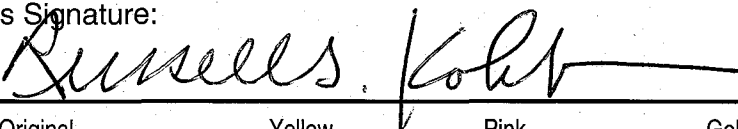


CLAYTON HEE, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 721	WTL	2/18/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
TOKUDA, Jill N. (VC)				/
BUNDA, Robert				/
FUKUNAGA, Carol	/			
KOKUBUN, Russell S.	/			
TAKAMINE, Dwight Y.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	4	0	0	3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes