



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

Written Testimony of
Linda L. Smith
Senior Policy Advisor to the Governor

Before the
HOUSE COMMITTEE ON HOUSING
and
HOUSE COMMITTEE ON WATER, LAND, & NATURAL RESOURCES

Wednesday, March 17, 2010, 9:15 AM
State Capitol, Room 325

SB 2110 SD2 RELATING TO AFFORDABLE HOUSING

Chairs Cabanilla and Ito, Vice Chairs Chong and Har, and members of the Committees:

The Administration **supports the intent** of SB 2110 SD2 and recommends **amending** the bill to reduce the timeframe for the issuance of non-discretionary ministerial permits for approved affordable housing projects from 60 to 45 days.

SB 2110 SD2 provides for the expedited construction of affordable housing by creating a 60-day timeframe for the issuance of any ministerial permit associated with an approved affordable housing project.

The Administration strongly supports the creation of standard timeframes for the development of affordable housing. Although there is currently a process in place that allows government agencies to approve affordable housing project proposals through an expedited track, ministerial permits that are issued subsequent to project approval may take significant amounts of time before they are issued. The current regulatory system for the construction of a housing project in Hawaii can take seven years or more

to complete from the initial presentation of a project, to construction. Therefore, standard timeframes can serve as an important guide for government agencies.

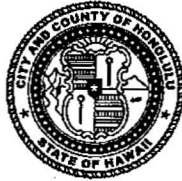
The Administration prefers that the bill be amended to establish a 45-day timeframe as proposed in the original bill and in the Administration-sponsored bill; SB 2679. A 45-day timeframe is based on a proposal developed over an eighteen month period by the Affordable Housing Regulatory Barriers Task Force, which was made up of stakeholders such as affordable housing developers, nonprofit organizations, academic, legislators, and state and county housing and planning agencies.

Thank you for the opportunity to provide testimony on this measure.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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March 17, 2010

The Honorable Rida Cabanilla, Chair
and Members of the Committee on Housing
The Honorable Ken Ito, Chair
and Members of the Committee on Water,
Land & Ocean Resources
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Cabanilla, Ito and Members:

**Subject: Senate Bill No. 2110, SD2
Relating to Affordable Housing**

The Department of Planning and Permitting has **serious concerns** regarding Senate Bill No. 2110, SD2. Although the SD2 version addresses some of the concerns identified in our testimony for previous hearings on the original version of the measure, the bill continues to impose a deadline on counties for issuance of any ministerial permit for an affordable housing project.

The deadline imposition impinges on the counties' ability to perform the necessary reviews to ensure that a project satisfies all the applicable statutory requirements and receives a properly issued permit. In order to meet the deadline as mandated by this measure, the counties may need to forego some reviews or rush reviews with the probability of mistakes happening that could compromise public health and safety. As a result, the counties may be exposed to increased liability. To protect against this liability, the bill should be amended by adding the following subsection:

(c) No lawsuit or action shall be prosecuted or maintained against the counties, its officials and employees as a result of actions taken to review and issue any ministerial permit within the deadline specified in this section.

Accordingly, without the above proposed change, we object to Senate Bill No. 2110, SD2 and recommend that it be filed.

The Honorable Rida Cabañilla, Chair
and Members of the Committee on Housing
The Honorable Ken Ito, Chair
and Members of the Committee on Water,
Land & Ocean Resources
State House of Representatives
Senate Bill No. 2110, SD2
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Thank you for the opportunity to testify.

Very truly yours,



for David K. Tanoue, Director
Department of Planning and Permitting

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Laborers' International Union of
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Roofers, Waterproofers & Allied
Workers United Union of Roofer
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March 15, 2010

Honorable Rep. Rida Cabanilla, Chair
Honorable Rep. Pono Chong, Vice Chair
Members of the House Committee on Housing
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: **IN SUPPORT OF SB 2110**
RELATING TO AFFORDABLE HOUSING.
Hearing: Wed., March 17, 2010, 9:15 a.m., Room 325

Dear Chair Cabanilla, Vice Chair Chong, and the House Committee on Housing:

For the Record my name is Buzz Hong the Executive Director for the Hawaii Building & Construction Trades Council, AFL-CIO. Our Council is comprised of 16-construction unions and a membership of 26,000 statewide.

The Council SUPPORTS SB2110, which would set a 60 day time limit after the receipt of applications for ministerial permits for the construction of affordable housing units.

Thank you for the opportunity to submit this testimony in support of SB2110.

Sincerely,

William "Buzz" Hong
Executive Director

WBH/hm