

S .B. NO. 2743

JAN 25 2012

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. The purpose of this Act is to clarify the
2 notice requirements for public hearings pursuant to section
3 206E-5.6, Hawaii Revised Statutes. Specifically, the Hawaii
4 community development authority will be required to publish
5 notice in a publication with statewide circulation for rule-
6 making public hearings and county-wide for development plan
7 approval public hearings.

8 SECTION 2. Section 206E-5.6, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The authority shall issue a public notice in
11 accordance with section 1-28.5 and post the notice on its
12 website; provided that the decision-making hearing shall not
13 occur earlier than five business days after the notice is
14 posted. Notice for public hearings required by subsection
15 (a)(1) shall be made in a daily or weekly publication with
16 statewide circulation. Notice for public hearings required by
17 subsection (a)(2) shall be made in a daily or weekly publication
18 with county-wide circulation in the affected county. Prior to

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1 rendering a decision, the authority shall provide the general
2 public with the opportunity to testify at its decision-making
3 hearing."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *A.S.T.*

8

BY REQUEST

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Report Title:

Hawaii Community Development Authority; Public Hearings; Notice

Description:

Clarifies notice requirements for the Hawaii Community Development Authority's public hearings.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

PURPOSE: Clarifies the notice requirements for the Hawaii Community Development Authority's (HCDA) public hearings required by section 206E-5.6, Hawaii Revised Statutes (HRS).

MEANS: Amend section 206E-5.6(b), HRS.

JUSTIFICATION: Currently, section 206E-5.6(b), HRS, requires the HCDA to publish notice of its public hearings. However, the statute does not specify whether the HCDA must publish its notice in a publication with statewide or county-wide circulation in order to provide appropriate notice of its hearings. This proposal seeks to clarify that rule-making public hearings require statewide publication and development plan approval public hearings require county-wide publication in the affected county.

Impact on the public: This amendment will allow the HCDA to publish notice of its public hearings to the appropriate audience. The HCDA will continue to publish notice on its website and send such notice to persons on its email list.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: BED-150.

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.