

JAN 23 2014

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# A BILL FOR AN ACT

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1           SECTION 1. Chapter 206E, Hawaii Revised Statutes, is  
2 amended by adding a new section to part II to be appropriately  
3 designated and to read as follows:

4           "§206E- Residential development of office of Hawaiian  
5 affairs lands in Kakaako; public hearing prerequisite. (a) The  
6 authority may approve any plan or proposal for any residential  
7 development in Kakaako on lands owned by the office of Hawaiian  
8 affairs only after the office of Hawaiian affairs conducts a  
9 public hearing held in accordance with subsection (b),  
10 notwithstanding hearing procedures under chapter 91.

11           (b) Prior to submission to the authority of any plan or  
12 proposal for any residential development, the office of Hawaiian  
13 affairs shall hold a public hearing after notice is published,  
14 in accordance with section 1-28.5, at least thirty days prior to  
15 the hearing. The notice shall include:

16           (1) The date, time, and place of the hearing;

17           (2) A statement of the topic of the hearing; and



1       (3) A description of where, when, and how the residential  
2           development proposal may be viewed by the public.

3       All interested persons may submit data or opinions, orally or in  
4       writing, in conjunction with the hearing.

5       (c) Prior to submitting to the authority for approval any  
6       plan or proposal for residential development, the office of  
7       Hawaiian affairs shall fully consider all written and oral  
8       submissions allowed pursuant to subsection (b) with regard to  
9       the proposed residential development."

10       SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is  
11 amended by amending subsection (e) to read as follows:

12       "(e) For purposes of this section, "government agency"  
13 means each department, board, commission, or officer of the  
14 State or any of its political subdivisions[-] as well as the  
15 office of Hawaiian affairs for purposes of section 206E- ."

16       SECTION 3. Section 206E-12, Hawaii Revised Statutes, is  
17 amended to read as follows:

18       "**§206E-12 Dedication for public facilities as condition to**  
19 **development.** The authority shall establish rules requiring  
20 dedication for public facilities of land or facilities, or cash  
21 payments in lieu thereof, by developers as a condition of  
22 developing real property pursuant to the community development



1 plan. Where state and county public facilities dedication laws,  
2 ordinances, or rules differ, the provision for greater  
3 dedication shall prevail.

4 This section shall not apply to the office of Hawaiian  
5 affairs for any residential development in Kakaako on lands  
6 owned by the office of Hawaiian affairs, pursuant to section  
7 206E- ."

8 SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

*Malene Jones*  
*Maunaloa*  
*Will N. D.*  
*Maunaloa*  
*Clarence K. ...*  
*[Signature]*

*[Signature]*  
*Silver Kalulu*  
*Onuhille Sidani*  
*David ...*  
*Will Eyer*  
*Rosalyn H. ...*



# S.B. NO. 3122

**Report Title:**

HCDA; Office of Hawaiian Affairs

**Description:**

Requires OHA to conduct a public hearing on any plan or proposal for any residential development in Kakaako prior to submission of the plan or proposal to the HCDA.

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

