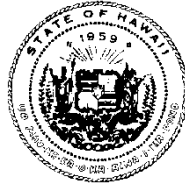


SB2876

Measure Title: RELATING TO PUBLIC LANDS.
Report Title: Public Lands; Hawaii Public Housing Authority Exemption
Description: Exempts Hawaii Public Housing Authority lands from the definition of "public lands" in section 171-2, Hawaii Revised Statutes.
Companion: [HB2347](#)
Package: Governor
Current Referral: HOU/WLA, WAM
Introducer(s): KOUCHI (Introduced by request of another party)

DAVID Y. IGE
GOVERNOR



HAKIM OUANSAFI
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
HAWAII PUBLIC HOUSING AUTHORITY
1002 NORTH SCHOOL STREET
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BARBARA E. ARASHIRO
EXECUTIVE ASSISTANT

Statement of
Hakim Ouansafi
Hawaii Public Housing Authority
Before the

SENATE COMMITTEE ON HOUSING
and
SENATE COMMITTEE ON WATER, LAND AND AGRICULTURE

February 11, 2016 2:50 P.M.
Room 225, Hawaii State Capitol

In consideration of
SB 2876
RELATING TO PUBLIC LANDS.

Honorable Chair Harimoto and Chair Gabbard and Members of the Senate Committees on Housing and Water, Land and Agriculture, thank you for the opportunity to provide testimony regarding Senate Bill (SB) 2876, relating to public lands.

The Hawaii Public Housing Authority (HPHA) **supports** SB 2876, which is primarily a "housekeeping" measure, as well as an administrative bill, that seeks to exempt HPHA lands from the definition of "public lands" under section 171-2, Hawaii Revised Statutes (HRS).

"Public lands" under Chapter 171, HRS, are generally under the management, control and jurisdiction of the Department of Land and Natural Resources (DLNR). The HPHA is authorized to acquire, own and hold real property, and therefore, its titled lands do not fall under the catchall jurisdiction of state "public lands" under the DLNR. A Legislative Reference Bureau Report recommended that Section 171-2, HRS, be amended to exempt HPHA lands.

Prior to 1987, §171-2 excluded from the definition of "public lands" those "lands to which the Hawaii housing authority in its corporate capacity holds title". Act 337, SLH 1987, that established the housing finance and development corporation, added a further exclusion in §171-2 for the corporation's properties. After 1997, when the two agencies merged into the housing and community development corporation of Hawaii, this section was further amended to change

the reference to the housing and community development corporation of Hawaii to the (present) Hawaii housing finance and development corporation.

It would appear that this section should be amended to include both the Hawaii housing finance and development corporation and the Hawaii public housing authority, as both agencies are authorized to acquire, own, and hold real property.

*“Clarifying Statutory References in State Housing Agency Laws,”
Report No. 5, 2006, Legislative Reference Bureau.*

HHFDC lands have since been exempted under Section 171-2, HRS. Accordingly, the HPHA lands should also be exempted from “public lands”

The HPHA appreciates the opportunity to provide the Senate Committees on Housing and Water, Land and Agriculture with the HPHA’s testimony regarding SB 2876. We thank you very much for your dedicated support.