

STAND. COM. REP. NO.

2348

Honolulu, Hawaii

FEB 05 2020

RE: S.B. No. 2046  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 2046 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE HAWAII STATE CONSTITUTION, TO REQUIRE THE STATE TO PRODUCE ENOUGH HOUSING TO MEET DEMAND,"

begs leave to report as follows:

The purpose and intent of this measure is to propose an amendment to the Constitution of the State of Hawaii to require the State to produce enough housing to meet housing demand.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii; Building Industry Association of Hawaii; Rainbow Family 808.Com, Inc.; and one individual. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and the Department of the Attorney General.

Your Committee finds that non self-executing provisions of the state Constitution set forth principles only and require further implementing legislation before they can be enforced. This means that the legislature can enact legislation that provides the standards and criteria by which the intent of the constitutional amendment can be effectuated. Your Committee notes that this proposed amendment to the State Constitution is designed to guarantee a right to shelter, which will be defined by the



legislature. Therefore, your Committee has amended this measure by:

- (1) Adding a provision requiring the legislature to set the standards and criteria to accomplish the amendment; and
- (2) Amending the ballot question to reflect requirement being placed upon the legislature.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2046, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2046, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Housing,

  
STANLEY CHENG, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Housing**  
**HOU**

|  |                     |            |     |         |
|--|---------------------|------------|-----|---------|
| Bill / Resolution No.:*  | Committee Referral: | Date:      |     |         |
| SB 2046  | HOU, JDC/WAM        | 01/23/2020 |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |                     |            |     |         |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |                     |            |     |         |
| Members  | Aye                 | Aye (WR)   | Nay | Excused |
| CHANG, Stanley (C)   | ✓                   |            |     |         |
| KANUHA, Dru Mamo (VC)  | ✓                   |            |     |         |
| MORIWAKI, Sharon Y.  | ✓                   |            |     |         |
| THIELEN, Laura H.  |                     |            | ✓   |         |
| FEVELLA, Kurt  | ✓                   |            |     |         |
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| <b>TOTAL</b>   | 4                   |            | 1   |         |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |                     |            |     |         |
| Chair's or Designee's Signature:   |                     |            |     |         |
| <b>Distribution:</b> Original     Yellow     Pink     Goldenrod<br>File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy   |                     |            |     |         |

\*Only one measure per Record of Votes