

STAND. COM. REP. NO.

2162

Honolulu, Hawaii

FEB 09 2022

RE: S.B. No. 879
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 879 entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

begs leave to report as follows:

The purpose and intent of this measure is to give counties jurisdiction over the infrastructure of the Department of Hawaiian Home Lands housing developments in their boundaries under specific conditions.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Honolulu Board of Water Supply.

Your Committee finds that for the sake of efficiency, counties should have jurisdiction over the Hawaiian home lands housing development infrastructure within their boundaries. One homestead leader in Kapolei states that "to date, the Department of Hawaiian Home Lands has spent over \$500,000 of trust funds on her homestead and that there are fifteen other similar homesteads on Oahu and nine that are older. Your Committee finds that



residential projects should follow county standards for design, planning, permitting, and construction.

Your Committee further finds that as long as the infrastructure conforms to applicable county standards in effect at the time of construction, the completion of the infrastructure is granted approval by the county, and applicable meter and connection fees and utility costs relating to the infrastructure have been paid, that this measure requires counties to provide for the maintenance of infrastructure for any Hawaiian home lands housing development.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriate county agency shall be the recipient of the application for maintenance request;
- (2) Specifying that infrastructure includes culverts, signage, road striping, and traffic calming measures; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 879, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 879, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,




MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SB 879	Committee Referral: HWN, JDC	Date: 2/3/2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <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
SHIMABUKURO, Maile S.L. (C)	X			
KEOHOKALOLE, Jarrett (VC)	X			
ACASIO, Laura	X			
IHARA, Jr., Les	X			
FEVELLA, Kurt		X		
TOTAL	4	1		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**