
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HOUSING.

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

1 PART I

2 SECTION 1. The legislature finds that there are multiple
3 state agencies responsible for housing. The existence of
4 multiple separate agencies creates redundancies and
5 bureaucracies that hinder the work of solving Hawaii's housing
6 crisis. The purpose of this Act is to consolidate the Hawaii
7 housing finance and development corporation, Hawaii community
8 development authority, Hawaii public housing authority, and
9 office of planning and sustainable development into a new
10 department of housing.

11 PART II

12 SECTION 2. Chapter 26, Hawaii Revised Statutes, is amended
13 by adding a new section to be appropriately designated and to
14 read as follows:

15 "§26- Department of housing. (a) The department of
16 housing shall be headed by a single executive to be known as the
17 director of housing.



- 1 (b) The department of housing shall:
- 2 (1) Be responsible for planning, coordinating, and
3 implementing the provisions of section 226-19;
- 4 (2) Strengthen and revitalize communities by promoting
5 affordable housing opportunities;
- 6 (3) Work in concert with municipal leaders, public
7 agencies, community groups, local housing authorities,
8 and other housing developers in the planning and
9 development of affordable homeownership and rental
10 housing units;
- 11 (4) Provide leadership for all aspects of policy and
12 planning relating to the development, redevelopment,
13 preservation, maintenance, and improvement of housing
14 for individuals and families at all levels of income;
15 and
- 16 (5) Oversee compliance with applicable statutes,
17 regulations, and financial assistance agreements for
18 funded activities through long-term program compliance
19 monitoring.
- 20 (c) The department may adopt rules pursuant to chapter 91
21 as may be necessary or desirable to fulfill its mission.



1 (d) The following are placed in the department of housing
2 for administrative purposes pursuant to section 26-35: Hawaii
3 community development authority; Hawaii housing finance and
4 development corporation; office of planning and sustainable
5 development; Hawaii public housing authority; and any other
6 agencies, boards, and commissions as shall be provided by law."

7 SECTION 3. Section 26-4, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§26-4 Structure of government.** Under the supervision of
10 the governor, all executive and administrative offices,
11 departments, and instrumentalities of the state government and
12 their respective functions, powers, and duties shall be
13 allocated among and within the following principal departments
14 that are hereby established:

- 15 (1) Department of human resources development (Section
16 26-5);
- 17 (2) Department of accounting and general services (Section
18 26-6);
- 19 (3) Department of the attorney general (Section 26-7);
- 20 (4) Department of budget and finance (Section 26-8);



- 1 (5) Department of commerce and consumer affairs (Section
- 2 26-9);
- 3 (6) Department of taxation (Section 26-10);
- 4 (7) University of Hawaii (Section 26-11);
- 5 (8) Department of education (Section 26-12);
- 6 (9) Department of health (Section 26-13);
- 7 (10) Department of human services (Section 26-14);
- 8 (11) Department of land and natural resources (Section
- 9 26-15);
- 10 (12) Department of agriculture (Section 26-16);
- 11 (13) Department of Hawaiian home lands (Section 26-17);
- 12 (14) Department of business, economic development, and
- 13 tourism (Section 26-18);
- 14 (15) Department of transportation (Section 26-19);
- 15 (16) Department of labor and industrial relations (Section
- 16 26-20);
- 17 (17) Department of defense (Section 26-21);
- 18 (18) Department of corrections and rehabilitation (Section
- 19 26-14.6); [~~and~~]
- 20 (19) Department of law enforcement (Section 26-14.8) [~~+~~];
- 21 and



1 (20) Department of housing (Section 26-)."

2 SECTION 4. Section 26-14, Hawaii Revised Statutes, is
3 amended by amending subsection (d) to read as follows:

4 "(d) The [~~Hawaii public housing authority and the~~] Hawaii
5 state commission on the status of women [~~are~~] is placed within
6 the department of human services for administrative purposes
7 only."

8 SECTION 5. Section 26-18, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The following are placed in the department of
11 business, economic development, and tourism for administrative
12 purposes as defined by section 26-35: [~~Hawaii community
13 development authority, Hawaii housing finance and development
14 corporation,~~] Hawaii technology development corporation, natural
15 energy laboratory of Hawaii authority, and any other boards and
16 commissions as shall be provided by law."

17 SECTION 6. Section 26-52, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§26-52 Department heads and executive officers.** The
20 salaries of the following state officers shall be as follows:



- 1 (1) The salary of the superintendent of education shall be
2 set by the board of education at a rate no greater
3 than \$250,000 a year. The superintendent shall be
4 subject to an annual performance evaluation that is in
5 alignment with other employee evaluations within the
6 department of education and are based on outcomes
7 determined by the board of education; provided that
8 nothing shall prohibit the board of education from
9 conditioning a portion of the salary on performance;
- 10 (2) The salary of the president of the [~~University~~
11 university] of Hawaii shall be set by the board of
12 regents;
- 13 (3) Effective July 1, 2004, the salaries of all department
14 heads or executive officers of the departments of
15 accounting and general services[~~τ~~]; agriculture[~~τ~~];
16 attorney general[~~τ~~]; budget and finance[~~τ~~]; business,
17 economic development, and tourism[~~τ~~]; commerce and
18 consumer affairs[~~τ~~]; corrections and
19 rehabilitation[~~τ~~]; Hawaiian home lands[~~τ~~]; health[~~τ~~];
20 housing; human resources development[~~τ~~]; human
21 services[~~τ~~]; labor and industrial relations[~~τ~~]; land



1 and natural resources[7]; law enforcement[7];
2 taxation[7]; and transportation shall be as last
3 recommended by the executive salary commission.
4 Effective July 1, 2007, and every six years
5 thereafter, the salaries shall be as last recommended
6 by the commission on salaries pursuant to section 26-
7 56, unless rejected by the legislature; and

8 (4) The salary of the adjutant general shall be \$85,302 a
9 year. Effective July 1, 2007, and every six years
10 thereafter, the salary of the adjutant general shall
11 be as last recommended by the commission on salaries
12 pursuant to section 26-56, unless rejected by the
13 legislature, except that if the state salary is in
14 conflict with the pay and allowance fixed by the
15 tables of the regular Army or Air Force of the United
16 States, the latter shall prevail."

17 SECTION 7. Section 225M-1, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§225M-1 Purpose.** The purpose of this chapter is to
20 establish an office of planning and sustainable development to
21 assist the governor; the director of housing; the director of



1 business, economic development, and tourism; the legislature;
2 and state and county agencies in maintaining an overall
3 framework to guide the development of the State through a
4 continuous process of comprehensive, long-range, and strategic
5 planning to meet the physical, economic, and social needs of
6 Hawaii's people, and provide for the wise use of Hawaii's
7 resources in a coordinated, efficient, and economical manner,
8 including the conservation of those natural, environmental,
9 recreational, scenic, historic, and other limited and
10 irreplaceable resources which are required for future
11 generations.

12 The establishment of an office of planning and sustainable
13 development in the department of [~~business, economic~~
14 ~~development, and tourism,~~] housing, for administrative purposes,
15 is intended to:

- 16 (1) Fix responsibility and accountability to successfully
17 carry out statewide planning programs, policies, and
18 priorities;
- 19 (2) Improve the efficiency and effectiveness of the
20 operations of the executive branch; and



1 (3) Ensure comprehensive planning and coordination to
2 enhance the quality of life of the people of Hawaii."

3 SECTION 8. Section 356D-2, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) There is established the Hawaii public housing
6 authority to be placed within the department of [~~human services~~]
7 housing for administrative purposes only. The authority shall
8 be a public body and a body corporate and politic."

9 SECTION 9. Sections 201H-2, 201H-3, 206E-3, and 225M-2,
10 Hawaii Revised Statutes, are amended by substituting the phrase
11 "department of housing" wherever the phrase "department of
12 business, economic development, and tourism" appears, as the
13 context requires.

14 SECTION 10. Sections 201H-3, 206E-3, 225M-2, 225M-3, and
15 225M-4, Hawaii Revised Statutes, are amended by substituting the
16 phrase "director of housing" wherever the phrase "director of
17 business, economic development, and tourism" appears, as the
18 context requires.

19 SECTION 11. (a) All rights, powers, functions, and duties
20 of the:



1 (1) Department of business, economic development, and
2 tourism as they pertain to the:

3 (A) Hawaii housing finance and development
4 corporation pursuant to chapter 201H, Hawaii
5 Revised Statutes;

6 (B) Hawaii community development authority pursuant
7 to chapter 206E, Hawaii Revised Statutes; and

8 (C) Office of planning and sustainable development
9 pursuant to chapter 225M, Hawaii Revised
10 Statutes; and

11 (2) Department of human services as they pertain to the
12 Hawaii public housing authority pursuant to chapter
13 356D, Hawaii Revised Statutes,
14 are transferred to the department of housing.

15 (b) All officers and employees whose functions are
16 transferred by this Act shall be transferred with their
17 functions and shall continue to perform their regular duties
18 upon their transfer, subject to the state personnel laws and
19 this Act.

20 No officer or employee of the State having tenure shall
21 suffer any loss of salary, seniority, prior service credit,



1 vacation, sick leave, or other employee benefit or privilege as
2 a consequence of this Act, and such officer or employee may be
3 transferred or appointed to a civil service position without the
4 necessity of examination; provided that the officer or employee
5 possesses the minimum qualifications for the position to which
6 transferred or appointed; and provided that subsequent changes
7 in status may be made pursuant to applicable civil service and
8 compensation laws.

9 An officer or employee of the State who does not have
10 tenure and who may be transferred or appointed to a civil
11 service position as a consequence of this Act shall become a
12 civil service employee without the loss of salary, seniority,
13 prior service credit, vacation, sick leave, or other employee
14 benefits or privileges and without the necessity of examination;
15 provided that such officer or employee possesses the minimum
16 qualifications for the position to which transferred or
17 appointed.

18 If an office or position held by an officer or employee
19 having tenure is abolished, the officer or employee shall not
20 thereby be separated from public employment, but shall remain in
21 the employment of the State with the same pay and classification



1 and shall be transferred to some other office or position for
2 which the officer or employee is eligible under the personnel
3 laws of the State as determined by the head of the department or
4 the governor.

5 (c) All rules, policies, procedures, guidelines, and other
6 material adopted or developed by the transferred agencies to
7 implement provisions of the Hawaii Revised Statutes that are
8 reenacted or made applicable to the department of housing by
9 this Act shall remain in full force and effect until amended or
10 repealed by the department of housing pursuant to chapter 91,
11 Hawaii Revised Statutes. In the interim, every reference to the
12 department of business, economic development, and tourism and
13 department of human services as they pertain to the transferred
14 agencies in those rules, policies, procedures, guidelines, and
15 other material is amended to refer to the department of housing,
16 as appropriate.

17 (d) All deeds, leases, contracts, loans, agreements,
18 permits, or other documents executed or entered into by or on
19 behalf of the department of business, economic development and
20 tourism and the department of human services as they pertain to
21 the transferred agencies, pursuant to the provisions of the



1 Hawaii Revised Statutes that are reenacted or made applicable to
2 the department of housing by this Act shall remain in full force
3 and effect. Effective July 1, 2024, every reference to the
4 department of business, economic development, and tourism and
5 the department of human services as they pertain to the
6 transferred agencies in those deeds, leases, contracts, loans,
7 agreements, permits, or other documents shall be construed as a
8 reference to the department of housing.

9 (e) All appropriations, records, equipment, machines,
10 files, supplies, contracts, books, papers, documents, maps, and
11 other personal property heretofore made, used, acquired, or held
12 by the department of department of business, economic
13 development and tourism and the department of human services
14 relating to the functions transferred to the department of
15 housing shall be transferred with the functions to which they
16 relate.

17 SECTION 12. This Act does not affect rights and duties
18 that matured, penalties that were incurred, and proceedings that
19 were begun before its effective date.

20 SECTION 13. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 14. This Act shall take effect on July 1, 2024.



Report Title:

Department of Housing; Establishment; HCDA; HHFDC; OPSD; HPHA;
Transfer

Description:

Establishes the Department of Housing. Places the Hawaii Community Development Authority, Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, and Hawaii Public Housing Authority under the Department of Housing for administrative purposes. Replaces the Director of Business, Economic Development, and Tourism with the Director of Housing on the Hawaii Community Development Authority. (SD1)

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