

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 440
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Transportation, International and
Intergovernmental Affairs, to which was referred S.B. No. 440,
S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

begs leave to report as follows:

The purpose of this measure is to require counties to accept
or reject a public infrastructure dedication that is part of an
affordable housing project within sixty days of the filing of a
dedication request.

Your Committee received testimony in support of this measure
from the Affordable Housing Regulatory Barriers Task Force and
Hawaii Housing Finance and Development Corporation. Testimony in
opposition was received from the City and County of Honolulu.
Comments were received from one individual. Written testimony
presented to the Committee may be reviewed on the Legislature's
website.

Your Committee finds that this measure coincides with
recommendations of the Affordable Housing Regulatory Barriers Task
Force. The Task Force worked over a period of eighteen months to
identify barriers to affordable housing development and to
formulate appropriate remedies. The intent of this measure is to
incentivize the development and construction of affordable housing
projects by removing an inadvertent delay attributable to
acceptance by the counties of infrastructure dedication of housing
projects.



Your Committee has amended this measure by:

- (1) Allowing a maximum period of ninety days for the county to accept a dedication request;
- (2) Clarifying that the dedicated infrastructure conform to applicable county standards;
- (3) Requiring as a proviso that completion of the improvements comprising the infrastructure be granted approval by the counties;
- (4) Deleting reference to building codes and building inspectors; and
- (5) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 440, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 440, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,



J. KALANI ENGLISH, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* SB 440, SDI	Committee Referral: EDH, TIA	Date: 2-25-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input type="checkbox"/> Pass, unamended 2312</div><div><input checked="" type="checkbox"/> Pass, with amendments 2311</div><div><input type="checkbox"/> Hold 2310</div><div><input type="checkbox"/> Recommit 2313</div></div>				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
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