

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 736
S.D. 1

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

Madam:

Your Committee on Education and Housing, to which was referred S.B. No. 736 entitled:

"A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING,"

begs leave to report as follows:

The purpose of this measure is to provide incentives for the development of affordable housing.

Specifically, the measure amends section 46-14.5, Hawaii Revised Statutes, by requiring the counties to provide affordable housing incentives such as density bonuses, height waivers, cluster zoning, reduction of parking requirements, design and site flexibility, waiver of certain fees, and other county development requirements.

Testimony in support of this measure was submitted by two state agencies and four private organizations. Testimony in opposition was submitted by three private organizations. Comments were submitted by two county agencies and one private organization. Copies of written testimony are available for review on the Legislature's website.

Your Committee finds that this measure is one of many under consideration by the Legislature in response to severe shortages of affordable housing in Hawaii. Your Committee is concerned that a long-term economic crisis will further worsen what is already a challenging housing market for Hawaii residents.



Your Committee further finds that the City and County of Honolulu's mass transit project offers exceptional opportunities for the development of affordable housing. Your Committee has heard and approved a wide range of proposed affordable housing initiatives in transit oriented developments and encourage further legislative discussions on the proposal in this measure.

Your Committee has amended this measure by:

- (1) Deleting both procurement exemptions and waiving state wage requirements from county incentives;
- (2) Restricting county incentives to affordable housing in transit oriented developments;
- (3) Adding a definition of "transit oriented development";
- (4) Authorizing the counties to consult with the Commission on Transit Oriented Development, proposed to be established pursuant to section 6 of S.B. No. 442, in the Commission's advisory capacity to the legislative bodies of the counties and county agencies for carrying out a continuing, comprehensive, transit oriented development planning process;
- (5) Adding a severability clause to ensure that the provisions of this measure will not be adversely affected if S.B. No. 442 is not enacted; and
- (6) Adding a provision for the Revisor of Statutes to reference the appropriate section of the Hawaii Revised Statutes that corresponds to the codified provisions of S.B. No. 442, if enacted.

As affirmed by the record of votes of the members of your Committee on Education and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 736, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 736, S.D. 1, and be referred to the Committee on Transportation, International and Intergovernmental Affairs.



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



NORMAN SAKAMOTO, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Education and Housing
EDH

Bill / Resolution No.:* SB 136	Committee Referral: EDH, TIA	Date: 2-11-09		
<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 style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
GALUTERIA, Brickwood				✓
TSUTSUI, Shan S.	✓			
HEMMINGS, Fred	✓			
TOTAL	5			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes