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# A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING.

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

1           SECTION 1. The legislature finds that there is a severe  
2 shortage of affordable rental housing in the county of Maui,  
3 particularly in the western part of the island. To address this  
4 issue, the legislature passed Act 150, Session Laws of Hawaii  
5 2018 (Act 150), to appropriate funds in support of the Keawe  
6 street apartments housing project in Lahaina, Maui. Act 98,  
7 Session Laws of Hawaii 2019 (Act 98), amended Act 150 by  
8 increasing the appropriation to the rental housing revolving  
9 fund from \$30,000,000 to \$37,000,000 to expedite and complete  
10 the Leialii affordable housing project by 2022; provided that if  
11 the project does not obtain necessary land use entitlements by  
12 April 30, 2020, the earmarked funds would be returned to the  
13 rental housing revolving fund.

14           On February 7, 2020, the Maui county council granted an  
15 exemption to chapter 201H, Hawaii Revised Statutes, relating to  
16 the Hawaii housing finance and development corporation, for the  
17 project, which satisfied Act 98's land use entitlements



1 requirement. On April 2, 2020, the county of Maui granted final  
2 subdivision approval of the project site.

3 The legislature further finds that on September 21, 2020,  
4 the state historic preservation division notified the Hawaii  
5 housing finance and development corporation that it would  
6 require a new archaeological inventory survey for the entire  
7 villages of the Leialii master planned community of which the  
8 Keawe street apartments affordable housing project is a part.  
9 On September 30, 2020, representatives from the state historic  
10 preservation division, the department of land and natural  
11 resources, and the governor's office held a teleconference to  
12 discuss whether a resolution could be reached to enable the  
13 project to proceed. The result was that the Hawaii housing  
14 finance and development corporation must still prepare a new  
15 archaeological inventory survey with adequate testing of the  
16 Keawe street apartments affordable housing project site and a  
17 strategy for addressing prior commitments for the balance of the  
18 villages of Leialii.

19 The legislature finds that because a new archaeological  
20 inventory survey must be conducted, the 2022 completion deadline  
21 imposed by Act 98 cannot be met.



1 The purpose of this Act is to maintain the viability of the  
2 Keawe street affordable housing project by:

3 (1) Amending Act 98 to remove the 2022 deadline for the  
4 completion of the Leialii affordable housing project;  
5 and

6 (2) Exempting the Leialii affordable housing project from  
7 chapter 6E, Hawaii Revised Statutes, relating to  
8 historic preservation.

9 SECTION 2. Act 98, Session Laws of Hawaii 2019, is amended  
10 by amending section 6 to read as follows:

11 "SECTION 6. There is appropriated out of the rental  
12 housing revolving fund the sum of \$37,000,000 or so much thereof  
13 as may be necessary for fiscal year 2019-2020 to expedite and  
14 complete the construction of the Leialii affordable housing  
15 project in Lahaina, Maui[, by 2022; provided that if the project  
16 does not obtain necessary land use entitlements by April 30,  
17 2020, the appropriated funds shall be returned to the rental  
18 housing revolving fund].

19 The sum appropriated shall be expended by the Hawaii  
20 housing finance and development corporation for the purposes of  
21 this Act."



1 SECTION 3. The Leialii affordable housing project in  
2 Lahaina, Maui, shall be exempt from state requirements under  
3 chapter 6E, Hawaii Revised Statutes, to the extent necessary to  
4 expedite the development of the project; provided that if the  
5 construction of the project is not completed by June 30, 2026,  
6 the governor may authorize in writing before that date the  
7 continuation of construction of the project until completion.  
8 If so authorized, the project shall continue to be exempt as  
9 provided under this Act.

10 SECTION 4. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Affordable Housing; Leialii Affordable Housing Project; Keawe Street Apartments

**Description:**

Removes the construction completion deadline for the Leialii affordable housing project and Keawe Street Apartments. Exempts the project from the application of Chapter 6E, Hawaii Revised Statutes. Effective 7/1/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

