

STAND. COM. REP. NO. 1216

Honolulu, Hawaii

MAR 21 2023

RE: H.B. No. 670
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 670, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that a simple majority of affirmative votes from the members serving on the Land Use Commission is required for any boundary amendment.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Land Use Commission and Grassroot Institute of Hawaii.

Your Committee finds that under existing law, six out of the nine members of the Land Use Commission must affirmatively vote to approve any boundary amendment. However, your Committee finds that this requirement is unnecessarily high, especially in light of the fact that members of the Land Use Commission are volunteers whose busy schedules do not always permit them to attend every meeting. Your Committee also finds that delays in land use permitting and approvals substantially increase the time and cost required to build new housing, and the uncertainty surrounding the



current process can disincentivize development. Therefore, this measure will help to reduce the State's excessive permit approval times and expedite development by allowing the Land Use Commission to approve boundary amendments by a simple majority.

Your Committee notes that the companion to this measure, S.B. No. 937, S.D. 1 (Regular Session of 2023), which was previously passed by the Senate, is a substantially similar measure that also amends the affirmative vote requirement of the Land Use Commission for boundary amendments to a simple majority. Your Committee concludes that S.B. No. 937, S.D. 1, is preferable because it further simplifies the process of amending district boundaries by requiring only a simple majority of votes from the members present and qualified to vote, as opposed to a simple majority of votes from the members serving on the Commission. Your Committee further finds that S.B. No. 937, S.D. 1, is preferable because it includes a section that would reduce the number of days within which the Land Use Commission must act for certain actions related to district boundary amendments. Your Committee believes this will further expedite the approval process and support housing development generally.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 937, S.D. 1, a substantially similar measure, which:

- (1) Clarifies that a simple majority of affirmative votes of the members of the Land Use Commission present at a meeting and qualified to vote is required for any boundary amendment;
- (2) Reduces the number of days within which the Land Use Commission must act for certain actions related to amendments to district boundaries;
- (3) Inserts an effective date of July 1, 2050; and
- (4) 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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B.



No. 670, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 670, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUYE, Chair



