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# A BILL FOR AN ACT

RELATING TO THE LAND USE COMMISSION.

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

1           SECTION 1. The legislature finds that the time and cost  
2 required to construct new housing can be substantially increased  
3 by delays in obtaining required permits and approvals.

4           The legislature also finds that according to a study  
5 conducted by the university of Hawaii economic research  
6 organization, the average length of approval delay in Hawaii is  
7 three times the national average. Similarly, research by the  
8 Grassroot Institute of Hawaii has found that it can take up to  
9 ten years to obtain necessary approvals to develop new housing  
10 in the State. These delays increase uncertainty and expenses,  
11 which disincentivize development and can considerably increase  
12 the cost to build new homes.

13           The legislature further finds that the average price of  
14 housing in the State has increased substantially in recent  
15 years. In September 2012, the median home price on Oahu was  
16 \$637,000. Ten years later, in September 2022, the median home  
17 price had skyrocketed to \$1,100,000.



1           The legislature notes that under existing state law, six  
2 out of the nine members of the land use commission must  
3 affirmatively vote to approve any boundary amendment, regardless  
4 of any vacancies or absences among commission members.  
5 Adjusting this law may help to expedite the approval process,  
6 which will help to accelerate housing development and address  
7 the State's excessive permit and approval times.

8           Accordingly, the purpose of this Act is to specify that a  
9 simple majority of affirmative votes of the members of the land  
10 use commission present at a meeting and qualified to vote is  
11 required for any boundary amendment.

12           SECTION 2. Section 205-1, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14           "(a) There shall be a state land use commission,  
15 hereinafter called the commission. The commission shall consist  
16 of nine members who shall hold no other public office and shall  
17 be appointed in the manner and serve for the term set forth in  
18 section 26-34. One member shall be appointed from each of the  
19 counties and the remainder shall be appointed at large; provided  
20 that one member shall have substantial experience or expertise  
21 in traditional Hawaiian land usage and knowledge of cultural



1 land practices. The commission shall elect its chairperson from  
2 one of its members. The members shall receive no compensation  
3 for their services on the commission, but shall be reimbursed  
4 for actual expenses incurred in the performance of their duties.  
5 [~~Six~~] A simple majority of affirmative votes of the members  
6 present and qualified to vote shall be necessary for any  
7 boundary amendment[-]; provided that:

8 (1) A majority of all the members to which the commission  
9 is entitled shall constitute a quorum to do business;

10 and

11 (2) A two-thirds vote shall be necessary for actions taken  
12 by the commission pursuant to article XI, section 3,  
13 of the Hawaii State Constitution."

14 SECTION 3. This Act does not affect rights and duties that  
15 matured, penalties that were incurred, and proceedings that were  
16 begun before its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

LUC; Decision-Making Process; Boundary Amendment

**Description:**

Specifies 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. Clarifies that a majority of all members to which the Land Use Commission is entitled shall be necessary to constitute a quorum. Clarifies that a two-thirds vote shall be necessary for actions taken by the Land Use Commission regarding Important Agricultural Lands. Effective 7/1/3000. (HD1)

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

