

A Bill for an Act Relating to Housing.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to return to the Hawaii housing authority former development advantages it held until 1987. In order for the Hawaii housing authority to maintain its status as a public housing agency with the federal Department of Housing and Urban Development ("HUD"), the Hawaii housing authority must be able to develop low income rental projects. To expedite the development of rental housing, the Hawaii housing authority would like to have returned some of the development advantages it held until 1987 under former Hawaii Revised Statutes section 359G-6 and section 359G-4.1. The Act returns to the Hawaii housing authority an exemption from competitive bidding laws when developing housing and returns application to the Hawaii housing authority the requirement that projects or petitions be deemed approved by county councils and the land use commission forty-five days after they are submitted where the councils and land use commission do not disapprove them during that period of time.

SECTION 2. Chapter 359, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

**"§359- Housing development; approval time limit.** (a) A county council shall approve or disapprove an authority project within forty-five days after the authority has submitted the preliminary plans and specifications for the project to it. If on the forty-sixth day a project is not disapproved, it shall be deemed approved by the county council. The final plans and specifications for the project shall be deemed approved by the county if the final plans and specifications do not substantially deviate from the preliminary plans and specifications. The final plans and specifications for the project shall constitute the zoning, building, construction, and subdivision standards for that project. For purposes of sections 501-85 and 502-17, the executive director of the authority or the responsible county official may certify maps and plans of lands connected with the project as having complied with applicable laws and ordinances relating to consolidation and subdivision of lands, and such maps and plans shall be accepted for registration or recordation by the land court and registrar.

(b) The land use commission shall approve or disapprove a boundary change within forty-five days after the authority has submitted a petition to the commission as provided in section 205-4. If on the forty-sixth day the petition is not disapproved, it shall be deemed approved by the commission.

Notwithstanding the provisions of section 205-4, notices of the hearing shall be published not less than 15 days in advance of the hearing on the petition.

**§359- Exemption from competitive bidding laws.** In selecting the eligible developers or in contracting any services or materials for the purposes of this chapter or chapter 356, the authority shall not be subject to the competitive bidding laws."

SECTION 3. New statutory material is underscored.<sup>1</sup>

**SECTION 4.** This Act shall take effect upon its approval.

(Approved June 17, 1992.)

**Note**

1. Edited pursuant to HRS §23G-16.5.