

ACT 82

H.B. NO. 599

A Bill for an Act Relating to the Hawaii State Plan.

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

SECTION 1. Section 226-4, Hawaii Revised Statutes, is amended to read as follows:

“**§226-4 State goals.** In order to [~~guarantee,~~] ensure, for present and future generations, those elements of choice and mobility that [~~insure~~] ensure that individuals and groups may approach their desired levels of self-reliance and self-determination, it shall be the goal of the State to achieve:

- (1) A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawaii’s present and future generations.
- (2) A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.
- (3) Physical, social, and economic well-being, for individuals and families in Hawaii, that nourishes a sense of community responsibility, of caring, and of participation in community life.”

SECTION 2. Section 226-19, Hawaii Revised Statutes, is amended to read as follows:

“**§226-19 Objectives and policies for socio-cultural advancement—housing.** (a) Planning for the State’s socio-cultural advancement with regard to housing shall be directed toward the achievement of the following objectives:

- (1) Greater opportunities for Hawaii’s people to secure reasonably priced, safe, sanitary, and livable homes, located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals, through collaboration and cooperation between government and nonprofit and for-profit developers to ensure that more rental and for sale affordable housing is made available to extremely low-, very low-, [low—and moderate-income], lower-, moderate-, and above moderate-income segments of Hawaii’s population.
- (2) The orderly development of residential areas sensitive to community needs and other land uses.

- (3) The development and provision of affordable rental housing by the State to meet the housing needs of Hawaii's people.
- (b) To achieve the housing objectives, it shall be the policy of this State to:
- (1) Effectively accommodate the housing needs of Hawaii's people.
 - (2) Stimulate and promote feasible approaches that increase affordable rental and for sale housing choices for ~~[low-income, moderate-income, and gap group]~~ extremely low-, very low-, lower-, moderate-, and above moderate-income households.
 - (3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.
 - (4) Promote appropriate improvement, rehabilitation, and maintenance of existing rental and for sale housing units and residential areas.
 - (5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.
 - (6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.
 - (7) Foster a variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods that reflect the culture and values of the community.
 - (8) Promote research and development of methods to reduce the cost of housing construction in Hawaii."

SECTION 3. Section 226-55, Hawaii Revised Statutes, is amended as follows:

1. By amending its title and subsection (a) to read:

"§226-55 Functional plans; preparation[-]; update. (a) The state agency head primarily responsible for a given functional area shall prepare and periodically update the functional plan for the area. In the preparation or update of the functional plan, the state agency head shall work in close cooperation with the advisory committee, respective officials, and people of each county. In the formulation of the initial or updated functional plan, the preparing agency shall solicit public views and concerns. The formulation and revision of a state functional plan shall conform to the provisions of this chapter and shall take into consideration the county general plans. Functional plans and any revisions thereto shall be ~~[approved]~~ accepted by the governor to serve as guidelines for funding requests and implementation by state and county agencies."

2. By amending subsection (c) to read:

"(c) For each functional plan, the lead state agency, with the concurrence of the governor, shall establish an advisory committee, where an advisory body which meets the criteria set out hereunder is not already in existence, whose membership shall be composed of at least one public official from each county ~~[to be nominated by the mayor of each county]~~; members of the public; experts in the field for which a functional plan is being prepared; and state officials. ~~[The governor shall request the nominations from each of the respective mayors and shall appoint the public official nominated by the mayor of the respective county to serve on the advisory committee. If the nominations of county officials by a mayor are not submitted to the governor within sixty days following the date of the governor's request for such nominations, the governor shall appoint at least one public official from that county to serve on the advisory committee without nominations from that mayor.]~~ The advisory committee shall advise the lead

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state agency in preparing, implementing, monitoring, and updating the functional plan to be in conformance with the overall theme, goals, objectives, policies, and priority guidelines contained within this chapter. The draft functional plan shall be submitted to relevant federal, state, and county agencies for review and input. The advisory committee shall serve as a ~~permanent~~ temporary advisory body to the state agency responsible for preparing each respective functional plan. The terms of members from the public and experts in the field for which a functional plan is prepared shall be for four years. Each term shall commence on July 1 and expire on June 30. No member from the public or expert in the field shall be appointed consecutively to more than two terms. These appointments shall not be subject to senate confirmation, and shall be exempt from sections 26-34(a) and 78-4(a) regarding the appointment to boards and commissions.”

SECTION 4. Section 226-106, Hawaii Revised Statutes, is amended to read as follows:

“**§226-106 Affordable housing.** Priority guidelines for the provision of affordable housing:

- (1) Seek to use marginal or nonessential agricultural land, urban land, and public land to meet housing needs of ~~[low- and moderate-income and gap group]~~ extremely low-, very low-, lower-, moderate-, and above moderate-income households.
- (2) Encourage the use of alternative construction and development methods as a means of reducing production costs.
- (3) Improve information and analysis relative to land availability and suitability for housing.
- (4) Create incentives for development which would increase home ownership and rental opportunities for Hawaii’s ~~[low- and moderate-income households, gap group]~~ extremely low-, very low-, lower-, and moderate-income households~~;~~ and residents with special needs.
- (5) Encourage continued support for government or private housing programs that provide low interest mortgages to Hawaii’s people for the purchase of initial owner-occupied housing.
- (6) Encourage public and private sector cooperation in the development of rental housing alternatives.
- (7) Encourage improved coordination between various agencies and levels of government to deal with housing policies and regulations.
- (8) Give higher priority to the provision of quality housing that is affordable for Hawaii’s residents and less priority to development of housing intended primarily for individuals outside of Hawaii.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved July 5, 2017.)