
HOUSE RESOLUTION

REQUESTING THE GOVERNOR ESTABLISH A TASK FORCE TO CONSIDER THE ESTABLISHMENT OF TOWNSHIPS OR OTHER POLITICAL SUBDIVISIONS TO ASSIST IN THE PROVISION OF INFRASTRUCTURE IN PRIVATE SUBDIVISIONS.

1 WHEREAS, in the 1950's and 1960's, the County of Hawaii
2 (County), in an attempt to raise its real property tax base,
3 allowed the development of large land areas into private
4 subdivisions containing marketable parcels of various sizes
5 without the benefit of infrastructure including roads and
6 highways, water, sewer, and drainage improvements; and
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8 WHEREAS, today, these private subdivisions are
9 nonconforming in relation to present county standard subdivision
10 requirements, thereby jeopardizing the welfare, health, and
11 safety of the residents of those private subdivisions; and
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13 WHEREAS, approximately forty-nine of these private
14 subdivisions, containing approximately forty-two per cent of the
15 County's population residing in these nonconforming private
16 subdivisions, remain in existence; and
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18 WHEREAS, in the past, various unsuccessful self-help
19 attempts have been tried by residents of these private
20 subdivisions to raise their standard of living to equal other
21 residents of the County, including attempts to make direct
22 payments for needed improvements, special county assistance, and
23 the consideration of improvement district financing; and
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25 WHEREAS, in an, to date, unsuccessful attempt to improve
26 their roads and highways, a number of the residents of the
27 private Hawaiian Paradise Subdivision have attempted to
28 establish a system of assessments and collection of road
29 maintenance fees, but lacked a key ingredient of success, the
30 co-signature of the County on a promissory note from a private
31 funding source; and
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33 WHEREAS, the residents of Hawaiian Paradise Subdivision now
34 desire to attempt to meet their goal of the provision of



1 subdivision improvements by establishing a township or other
2 political subdivision, comprising of the Hawaiian Paradise
3 Subdivision; now, therefore,
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5 BE IT RESOLVED by the House of Representatives of the
6 Twenty-fifth Legislature of the State of Hawaii, Regular Session
7 of 2009, in an attempt to assist all residents of private
8 subdivisions, the Governor is requested to establish a task
9 force to consider various methods of assisting the residents of
10 private subdivisions on the island of Hawaii to provide for
11 basic infrastructure needs of the residents of the private
12 subdivisions; and
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14 BE IT FURTHER RESOLVED that the Governor is requested to
15 appoint the following officials or their designated
16 representatives comprise the task force:
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- 18 (1) The Director of Finance, as chairperson of the task
19 force;
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- 21 (2) The Director of Taxation;
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- 23 (3) The Attorney General;
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- 25 (4) The Comptroller;
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- 27 (5) The Mayor of the County of Hawaii;
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- 29 (6) The Corporation Counsel of the County of Hawaii;
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- 31 (7) The Director of Finance of the County of Hawaii;
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- 33 (8) The Planning Director of the County of Hawaii; and
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- 35 (9) The Director of Public Works; and
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37 BE IT FURTHER RESOLVED that the task force is requested to
38 consider the following:
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- 40 (1) The practicality and advisability of establishing a
41 political subdivision of the State to assist residents
42 of private subdivisions to obtain standard
43 infrastructure commonly required in all approved
44 subdivisions of the State;



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(2) Whether the availability and use of:

(A) Improvement district financing;

(B) Community facilities district financing;

(C) Special purpose revenue bonds, to provide utilities serving the general public; or

(D) Any other existing method of financing public infrastructure facilities,

is a practical tool to provide the necessary infrastructure for private subdivisions; and

BE IT FURTHER RESOLVED that the Attorney General is requested to provide any necessary administrative, professional, technical, and clerical support to the task force; and

BE IT FURTHER RESOLVED that the task force is requested to report to the Legislature on its findings and recommendations, including proposed legislation, at least twenty days prior to the convening of the Regular Session of 2010; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of Finance, Director of Taxation, Attorney General, and Comptroller of the State, and the Mayor, Corporation Counsel, Director of Finance, Planning Director, and Director of Public Works of the County of Hawaii.

OFFERED BY:



FEB 25 2009

