

Honolulu, Hawaii
February 14, 2014

RE: H.B. No. 1863
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1863 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to amend the budget, legal immunity, and rulemaking authority of the Hawaii Community Development Authority. Specifically, this measure:

- (1) Eliminates the operating and investment capital budget items for the Hawaii Community Development Authority for fiscal year 2014-2015;
- (2) Establishes horizontal separation distances and maximum floor area ratios for certain buildings within the Kakaako Community Development District;
- (3) Authorizes citizen civil lawsuits for failure to perform any required act or duty relative to the Kakaako Community Development District; and
- (4) Requires rules adopted by the Hawaii Community Development Authority to comply with all existing laws, ordinances, and rules.



The Honolulu City Council member representing District VII; Life of the Land; and numerous individuals testified in support of this measure. The Department of the Attorney General; The Chamber of Commerce Hawaii; Hawaii Building and Construction Trades Council, AFL-CIO; The Pacific Resource Partnership; the Howard Hughes Corporation; and Hawaii Laborers-Employers Cooperation and Education Trust testified in opposition to this measure. Kamehameha Schools, the Executive Director of the Hawaii Community Development Authority, and a few individuals provided comments.

Your Committee has amended this measure by:

- (1) Deleting all substantive provisions of the measure except authorization of a citizen suit against the Hawaii Community Development Authority and designating the provision as a right of action; and
- (2) Changing its effective date to July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1863, H.D. 1, and be referred to the Committee on Finance.

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


CINDY EVANS, Chair



Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1863	Committee Referral: WAL, FIN	Date: 2-11-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. LOWEN, Nicole E. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. HANOHANO, Faye P.				✓
5. KAWAKAMI, Derek S.K.		✓		
6. LEE, Chris	✓			
7. SAY, Calvin K.Y.		✓		
8. NISHIMOTO, Scott Y.	✓			
9. FALE, Richard Lee		✓		
10. THIELEN, Cynthia	✓			
TOTAL (10)	6	3		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Nicole E. Lowen</i></u>				
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