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## A BILL FOR AN ACT

RELATING TO THE TRANSFER OF ALOHA STADIUM TO THE UNIVERSITY OF  
HAWAII.

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

1       SECTION 1. Section 109-1, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3       "(a) There shall be within the [~~department of accounting~~  
4 ~~and general services~~] University of Hawaii for administrative  
5 purposes only, a stadium authority whose responsibility shall be  
6 to maintain, operate, and manage the stadium and facilities  
7 attached thereto and to provide for the maintenance, operation,  
8 management, and promotion of the Kapolei recreational sports  
9 complex. The authority shall consist of nine members who shall  
10 be appointed by the governor in the manner prescribed by section  
11 26-34. Each member of the authority shall have been a citizen  
12 of the United States and a resident of the State for at least  
13 five years next preceding the member's appointment. The  
14 president of the University of Hawaii and the superintendent of  
15 education shall be ex officio members of the authority but shall  
16 not vote."



1       SECTION 2. All rights, powers, functions, and duties of  
2 the stadium authority are transferred to the University of  
3 Hawaii.

4       All officers and employees whose functions are transferred  
5 by this Act shall be transferred with their functions and shall  
6 continue to perform their regular duties upon their transfer,  
7 subject to the state personnel laws and this Act.

8       No officer or employee of the State having tenure shall  
9 suffer any loss of salary, seniority, prior service credit,  
10 vacation, sick leave, or other employee benefit or privilege as  
11 a consequence of this Act, and the officer or employee may be  
12 transferred or appointed to a civil service position without the  
13 necessity of examination; provided that the officer or employee  
14 possesses the minimum qualifications for the position to which  
15 transferred or appointed; and provided that subsequent changes  
16 in status may be made pursuant to applicable civil service and  
17 compensation laws.

18       An officer or employee of the State who does not have  
19 tenure and who may be transferred or appointed to a civil  
20 service position as a consequence of this Act shall become a  
21 civil service employee without the loss of salary, seniority,  
22 prior service credit, vacation, sick leave, or other employee



1 benefits or privileges and without the necessity of examination;  
2 provided that the officer or employee possesses the minimum  
3 qualifications for the position to which transferred or  
4 appointed.

5 If an office or position held by an officer or employee  
6 having tenure is abolished, the officer or employee shall not  
7 thereby be separated from public employment, but shall remain in  
8 the employment of the State with the same pay and classification  
9 and shall be transferred to some other office or position for  
10 which the officer or employee is eligible under the personnel  
11 laws of the State as determined by the head of the department or  
12 the governor.

13 SECTION 3. All appropriations, records, equipment,  
14 machines, files, supplies, contracts, books, papers, documents,  
15 maps, and other personal property heretofore made, used,  
16 acquired, or held by the stadium authority relating to the  
17 functions transferred to the University of Hawaii shall be  
18 transferred with the functions to which they relate.

19 SECTION 4. It is not the intent of this Act to jeopardize  
20 the receipt of any federal aid nor to impair the obligation of  
21 the estate or any agency thereof to the holders of any bond  
22 issued by the State or by any such agency, and to the extent,



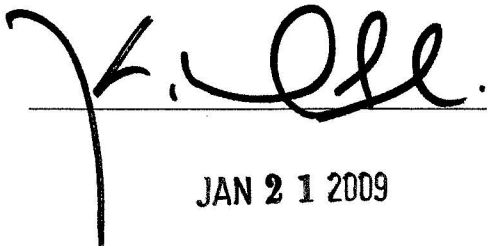
# H.B. NO. 3

1 and only to the extent, necessary to effectuate this intent, the  
2 governor may modify the strict provisions of this Act, but shall  
3 promptly report any such modification with reasons therefor to  
4 the legislature at its next session thereafter for review by the  
5 legislature.

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

8 SECTION 6. This Act shall take effect on July 1, 2009.

9

INTRODUCED BY: 

JAN 21 2009



**Report Title:**

Aloha Stadium; Transfer to University of Hawaii

**Description:**

Transfers the Aloha Stadium to the University of Hawaii.

