
A BILL FOR AN ACT

RELATING TO THE STADIUM DEVELOPMENT DISTRICT.

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

1 PART I

2 SECTION 1. Chapter 109, Hawaii Revised Statutes, is
3 amended by adding four new sections to be appropriately
4 designated and to read as follows:

5 "§109- Definition. As used in this chapter, "district"
6 or "stadium development district" means real property held by
7 the stadium authority or land under the jurisdiction of the
8 stadium authority.

9 §109- Stadium development special fund; established.

10 (a) There is established in the state treasury the stadium
11 development special fund into which shall be deposited:

12 (1) All revenues from the operations of the stadium
13 development;

14 (2) All proceeds from revenue bonds issued by the stadium
15 authority; and

16 (3) Appropriations made by the legislature to the fund.



1 (b) Moneys in the stadium development special fund shall
2 be used for the expenses of the development and operations of
3 the stadium property.

4 **\$109- Development guidance policies; established.** (a)
5 The following shall be the general development guidance policies
6 governing the stadium authority's actions in the stadium
7 development district:

8 (1) Development shall be in accordance with any county
9 transit-oriented development plan unless modified by
10 the authority pursuant to paragraph (2);

11 (2) With the approval of the governor, the authority, upon
12 the concurrence of a majority of its voting members,
13 may modify and make changes to a transit-oriented
14 development plan with respect to the district to
15 respond to changing conditions; provided that before
16 amending a transit-oriented development plan, the
17 authority shall conduct a public hearing to inform the
18 public of the proposed changes and receive public
19 input;

20 (3) The authority shall seek to promote economic
21 development and employment opportunities by fostering



1 diverse land uses and encouraging private sector
2 investments that use the opportunities presented by
3 the rail transit corridor project consistent with the
4 needs of the public, including the development of
5 mixed-use housing and affordable housing;

6 (4) The authority may engage in planning, design, and
7 construction activities within and outside the
8 district; provided that activities outside the
9 district shall relate to infrastructure development,
10 area-wide drainage improvements, roadway realignments
11 and improvements, business and industrial relocation,
12 and other activities that the authority deems
13 necessary to carry out development of the district and
14 implement this chapter;

15 (5) Hawaiian archaeological, historic, and cultural sites
16 shall be preserved and protected;

17 (6) Endangered species of flora and fauna shall be
18 preserved to the extent required by law;

19 (7) Land use and development activities within the
20 district shall be coordinated with and, to the extent
21 possible, complement and support existing county and



1 state policies, plans, and programs affecting the
2 district; and

3 (8) Public facilities within the district shall be
4 planned, located, and developed to support the
5 development guidance policies established by this
6 chapter for the district and any rules adopted
7 pursuant to chapter 91 to implement this chapter.

8 **§109- Annual comprehensive report.** No less than twenty
9 days prior to the convening of each regular session of the
10 legislature, the stadium authority shall submit to the
11 legislature an annual comprehensive status report on the
12 progress of development within the stadium development
13 district."

14 SECTION 2. Section 109-2, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§109-2 Stadium authority; powers and duties.** The powers
17 and duties of the stadium authority shall be as follows:

18 (1) To maintain, operate, ~~[and]~~ manage, and develop the
19 stadium ~~[and related]~~, facilities~~[+]~~ related to the
20 stadium, and real property held by the stadium
21 authority;



1 (2) To acquire and hold title to real property;

2 ~~[(+2)]~~ (3) To prescribe and collect rents, fees, and charges
3 for the use or enjoyment of the stadium ~~[or any of~~
4 ~~its]~~, facilities~~+~~ related to the stadium, and real
5 property held by the stadium authority, including
6 entering into leases; provided that leases shall not
7 exceed a term of ninety-nine years;

8 ~~[(+3)]~~ (4) To make and execute contracts and other
9 instruments necessary or convenient to exercise its
10 powers under this chapter and subject to any
11 limitations in this chapter, to exercise all powers
12 necessary, incidental, or convenient to carry out and
13 effectuate the purposes and provisions of this
14 chapter;

15 ~~[(+4)]~~ (5) To adopt, amend, and repeal in accordance with
16 chapter 91 rules it may deem necessary to effectuate
17 this chapter and in connection with its projects,
18 operations, and facilities;

19 ~~[(+5)]~~ (6) To appoint a manager and ~~[a]~~ deputy ~~[manager]~~
20 managers who shall have qualifications as the
21 authority deems necessary and who shall hold their



1 respective offices at the pleasure of the authority.
2 The manager and deputy [~~manager~~] managers shall be
3 exempt from the requirements of chapters 76 and 89.
4 Effective July 1, 2005, the manager shall be paid a
5 salary not to exceed eighty-seven per cent of the
6 salary of the director of human resources development.
7 Effective July 1, 2005, [~~the~~] a deputy manager shall
8 be paid a salary not to exceed eighty-five per cent of
9 the manager's salary. The manager shall have full
10 power to administer the affairs of the stadium and
11 related facilities, subject to the direction and
12 approval of the authority. The manager shall, subject
13 to the approval of the authority, have power to
14 appoint, suspend, and discharge a secretary who shall
15 be exempt from the requirements of chapters 76 and 89,
16 and other employees, subordinates, and assistants as
17 may be necessary for the proper conduct of the
18 business of the authority. Except for persons hired
19 on contract or otherwise as provided in section 109-3
20 and except for the manager, deputy manager, and
21 secretary, all appointments, suspensions, or



1 discharges shall be made in conformity with the
2 applicable provisions of chapter 76; and
3 ~~[(+6)]~~ (7) To plan, promote, and market the stadium and
4 related facilities."

5 SECTION 3. Section 109-7, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) Any law enforcement officer who has police powers to
8 arrest offenders and issue citations, including any police
9 officer of the counties, shall have the authority to enforce any
10 rule ~~[promulgated]~~ adopted pursuant to section ~~[109-2(4)].~~
11 109-2(5)."

12 SECTION 4. Section 171-2, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§171-2 Definition of public lands.** "Public lands" means
15 all lands or interest therein in the State classed as government
16 or crown lands previous to August 15, 1895, or acquired or
17 reserved by the government upon or subsequent to that date by
18 purchase, exchange, escheat, or the exercise of the right of
19 eminent domain, or in any other manner; including lands accreted
20 after May 20, 2003, and not otherwise awarded, submerged lands,
21 and lands beneath tidal waters that are suitable for



1 reclamation, together with reclaimed lands that have been given
2 the status of public lands under this chapter, except:

3 (1) Lands designated in section 203 of the Hawaiian Homes
4 Commission Act, 1920, as amended;

5 (2) Lands set aside pursuant to law for the use of the
6 United States;

7 (3) Lands being used for roads and streets;

8 (4) Lands to which the United States relinquished the
9 absolute fee and ownership under section 91 of the
10 Hawaiian Organic Act prior to the admission of Hawaii
11 as a state of the United States unless subsequently
12 placed under the control of the board of land and
13 natural resources and given the status of public lands
14 in accordance with the state constitution, the
15 Hawaiian Homes Commission Act, 1920, as amended, or
16 other laws;

17 (5) Lands to which the University of Hawaii holds title;

18 (6) Lands to which the Hawaii housing finance and
19 development corporation in its corporate capacity
20 holds title;



- 1 (7) Lands to which the Hawaii community development
2 authority in its corporate capacity holds title;
- 3 (8) Lands set aside by the governor to the Hawaii public
4 housing authority or lands to which the Hawaii public
5 housing authority in its corporate capacity holds
6 title;
- 7 (9) Lands to which the department of agriculture holds
8 title by way of foreclosure, voluntary surrender, or
9 otherwise, to recover moneys loaned or to recover
10 debts otherwise owed the department under chapter 167;
- 11 (10) Lands that are set aside by the governor to the Aloha
12 Tower development corporation; lands leased to the
13 Aloha Tower development corporation by any department
14 or agency of the State; or lands to which the Aloha
15 Tower development corporation holds title in its
16 corporate capacity;
- 17 (11) Lands that are set aside by the governor to the
18 agribusiness development corporation; lands leased to
19 the agribusiness development corporation by any
20 department or agency of the State; or lands to which



1 the agribusiness development corporation in its
2 corporate capacity holds title;
3 (12) Lands to which the Hawaii technology development
4 corporation in its corporate capacity holds title;
5 [and]
6 (13) Lands to which the department of education holds
7 title; and
8 (14) Lands to which the stadium authority holds title;
9 provided that, except as otherwise limited under federal law and
10 except for state land used as an airport as defined in section
11 262-1, public lands shall include the air rights over any
12 portion of state land upon which a county mass transit project
13 is developed after July 11, 2005[-]; provided further that
14 should the lands under paragraph (14) no longer be needed for
15 stadium and related purposes, the lands shall be returned to the
16 public land trust administered by the department."

17 SECTION 5. Section 171-64.7, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) This section applies to all lands or interest therein
20 owned or under the control of state departments and agencies
21 classed as government or crown lands previous to August 15,



1 1895, or acquired or reserved by the government upon or
2 subsequent to that date by purchase, exchange, escheat, or the
3 exercise of the right of eminent domain, or any other manner,
4 including accreted lands not otherwise awarded, submerged lands,
5 and lands beneath tidal waters that are suitable for
6 reclamation, together with reclaimed lands that have been given
7 the status of public lands under this chapter, including:

8 (1) Land set aside pursuant to law for the use of the
9 United States;

10 (2) Land to which the United States relinquished the
11 absolute fee and ownership under section 91 of the
12 Organic Act prior to the admission of Hawaii as a
13 state of the United States;

14 (3) Land to which the University of Hawaii holds title;

15 (4) Land to which the Hawaii housing finance and
16 development corporation in its corporate capacity
17 holds title;

18 (5) Land to which the department of agriculture holds
19 title by way of foreclosure, voluntary surrender, or
20 otherwise, to recover moneys loaned or to recover
21 debts otherwise owed the department under chapter 167;



(6) Land that is set aside by the governor to the Aloha Tower development corporation; or land to which the Aloha Tower development corporation holds title in its corporate capacity;

(7) Land that is set aside by the governor to the agribusiness development corporation; or land to which the agribusiness development corporation in its corporate capacity holds title;

(8) Land to which the Hawaii technology development corporation in its corporate capacity holds title;

(9) Land to which the department of education holds title; [and]

(10) Land to which the Hawaii public housing authority in its corporate capacity holds title~~[-]~~; and

(11) Lands to which the stadium authority holds title."

SECTION 6. Section 206E-14, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The authority may, without recourse to public auction, sell, or lease for a term not exceeding sixty-five years, all or any portion of the real or personal property constituting a redevelopment project to any person, upon such



1 terms and conditions as may be approved by the authority, if the
2 authority finds that the sale or lease is in conformity with the
3 community development plan.

4 ~~[For the stadium development district, leases shall not~~
5 ~~exceed a term of ninety-nine years.]"~~

6 SECTION 7. Chapter 206E, part IX, Hawaii Revised Statutes,
7 is repealed.

8 PART II

9 SECTION 8. Section 109-1, Hawaii Revised Statutes, is
10 amended by amending subsections (a) and (b) to read as follows:

11 "(a) There shall be within the department of accounting
12 and general services for administrative purposes only, a stadium
13 authority whose responsibility shall be to maintain, operate,
14 and manage the stadium and facilities attached thereto. The
15 authority shall consist of [~~nine~~] eleven members who shall be
16 appointed by the governor in the manner prescribed by section
17 26-34.

18 Of the eleven members:

19 (1) One member shall be a resident of one of the following
20 areas:



- 1 (A) Excluding Ford Island, the area beginning at the
2 intersection of Oahu shoreline and Admiral Carey
3 (Ford Island) Bridge and running:
4 (i) Easterly along said bridge to Salt Lake
5 boulevard;
6 (ii) Southeasterly along said boulevard to H-1
7 freeway;
8 (iii) Southwesterly along said freeway to Luapele
9 drive;
10 (iv) Westerly along said drive to Fleet place;
11 (v) Southwesterly along said place to Ulihi
12 street;
13 (vi) Southwesterly along said street to unnamed
14 road;
15 (vii) Southwesterly along said road(s) to Luapele
16 road;
17 (viii) Westerly along said road to Ulihi road;
18 (ix) Northwesterly along said road to Makalapa
19 drive;
20 (x) Southwesterly along said drive to Ulihi
21 road;



- 1 (xi) Westerly along said road to Halawa drive;
- 2 (xii) Northwesternly along said drive to Arizona
- 3 street;
- 4 (xiii) Westerly along said street to Kamehameha
- 5 highway;
- 6 (xiv) Northerly along said highway to Halawa
- 7 stream;
- 8 (xv) Westerly along said stream to Oahu
- 9 shoreline; and
- 10 (xvi) Northerly along said shoreline to point of
- 11 beginning;
- 12 (B) The area beginning at the intersection of Kaonohi
- 13 street and H-1 freeway and running:
- 14 (i) Southeasterly along said freeway to Moanalua
- 15 freeway - Kamehameha highway connector;
- 16 (ii) Northwesternly along said highway connector
- 17 to Kamehameha highway;
- 18 (iii) Northwesternly along said highway to Aiea
- 19 stream;
- 20 (iv) Southerly along said stream to Oahu
- 21 shoreline;



- 1 (v) Northwesternly along said shoreline to
2 Kalauao stream;
- 3 (vi) Northeasterly along said stream to
4 Kamehameha highway;
- 5 (vii) Northwesternly along said highway to Kaonohi
6 street; and
- 7 (viii) Northeasterly along said street to point of
8 beginning; or
- 9 (C) The area beginning at the intersection of Waimalu
10 stream and Koolau ridge and running:
- 11 (i) Southeasterly along said ridge to Ewa -
12 Honolulu district boundary;
- 13 (ii) Southwesterly along said boundary to Red
14 Hill Naval Reservation boundary;
- 15 (iii) Southwesterly along said boundary to Tampa
16 drive;
- 17 (iv) Westerly along said drive to unnamed road;
- 18 (v) Northerly along said road to Icarus way;
- 19 (vi) Westerly along said way to unnamed road;
- 20 (vii) Southwesterly along said road(s) to Moanalua
21 freeway (H-201);



- 1 (viii) Westerly along said freeway to H-1 freeway;
2 (ix) Northwesternly along said freeway to Kaonohi
3 street;
4 (x) Southwesterly along said street to Moanalua
5 road;
6 (xi) Westerly along said road to Kaahumanu
7 street;
8 (xii) Northerly along said street to Komo Mai
9 drive;
10 (xiii) Easterly along said drive to Punanani gulch;
11 (xiv) Northeasterly along said gulch to powerline;
12 (xv) Southeasterly along said powerline to
13 Waimalu stream;
14 (xvi) Northeasterly along said stream to Aiea
15 stream;
16 (xvii) Easterly along said stream to Waimalu
17 stream; and
18 (xviii) Southeasterly along said stream to point of
19 beginning; and



- 1 (2) One member shall be from the area beginning at the
2 intersection of H-1 freeway and Moanalua freeway (H-
3 201) and running:
- 4 (A) Southeasterly along said freeway to Aliamanu
5 Military Reservation boundary;
- 6 (B) Westerly along said boundary to Wanaka street;
- 7 (C) Southwesterly along said street to Likini street;
- 8 (D) Northwesterly along said street to Ukana street;
- 9 (E) Southwesterly along said street to Keaka drive;
- 10 (F) Northwesterly along said drive to Manuwa drive;
- 11 (G) Southeasterly along said drive to Pakini street;
- 12 (H) Southwesterly along said street to Keaka drive;
- 13 (I) Southerly along said drive to Puolo drive;
- 14 (J) Westerly along said drive to Likini street;
- 15 (K) Southerly along said street to Maluna street;
- 16 (L) Westerly along said street to Salt Lake
17 boulevard;
- 18 (M) Southeasterly along said boulevard to unnamed
19 feature;
- 20 (N) Southwesterly along said feature to Reeves loop;
- 21 (O) Southwesterly along said loop to Radford drive;



- 1 (P) Westerly along said drive to Fuqua street;
2 (Q) Northeasterly along said street to Radford drive;
3 (R) Northwesterly along said drive to H-1 freeway;
4 and
5 (S) Northerly along said freeway to point of
6 beginning.

7 Each member of the authority shall have been a citizen of the
8 United States and a resident of the State for at least five
9 years next preceding the member's appointment. The president of
10 the University of Hawaii and the superintendent of education
11 shall be ex officio members of the authority but shall not vote.

12 (b) The chairperson of the authority shall be elected by
13 the majority of the members of the authority. The term of each
14 member shall be four years~~[7]~~; provided that ~~[øf]~~:

15 (1) Of the members initially appointed three members shall
16 serve for four years, three members shall serve for
17 three years and the remaining three members shall
18 serve for two years~~[-]~~; and

19 (2) The terms of the members added by Act , Session
20 Laws of Hawaii 2020, shall commence July 1, 2020.



1 No person shall be appointed consecutively to more than two
2 terms as a member of the authority. Vacancies shall be filled
3 for the remainder of any unexpired term in the same manner as
4 original appointments."

5 PART III

6 SECTION 9. Act 268, Session Laws of Hawaii 2019, is
7 amended by adding a new section to read as follows:

8 "SECTION 7A. With the approval of the governor, the
9 stadium authority, as the designated expending agency for
10 capital improvement projects authorized in this Act, may
11 delegate to other state agencies the implementation of projects
12 when it is determined advantageous to do so by both the stadium
13 authority as the original expending agency and the agency to
14 which expending authority is to be delegated."

15 SECTION 10. Act 268, Session Laws of Hawaii 2019, is
16 amended by amending sections 4 to 6 to read as follows:

17 "SECTION 4. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$20,000,000 or so
19 much thereof as may be necessary for fiscal year 2019-2020 for
20 the [~~establishment and~~] development of the stadium [~~development~~
21 ~~district~~] authority property for public use.



1 The sum appropriated shall be expended by the [~~Hawaii~~
2 ~~community development~~] stadium authority for the purposes of
3 this Act; provided that the appropriation shall not lapse at the
4 end of the fiscal year for which the appropriation is made;
5 provided further that all moneys unencumbered as of June 30,
6 2022, shall lapse as of that date.

7 SECTION 5. The legislature finds and declares that the
8 issuance of revenue bonds under this Act is in the public
9 interest and for the public health, safety, and general welfare.
10 Pursuant to part III, chapter 39, Hawaii Revised Statutes.
11 Accordingly, the [~~Hawaii community development~~] stadium
12 authority, with the approval of the governor, may issue in one
13 or more series revenue bonds in a total amount not to exceed
14 \$180,000,000 for the [~~Hawaii community development~~] stadium
15 authority to implement [~~the stadium development district as~~
16 ~~provided for in part~~], chapter 206E, Hawaii Revised
17 Statutes.] the development of the stadium authority property for
18 public use.

19 The proceeds of the revenue bonds shall be deposited into
20 the [~~Hawaii community development revolving~~] stadium development



1 special fund created in section [~~206E-16,~~] 109-, Hawaii
2 Revised Statutes.

3 The revenue bonds authorized under this Act shall be issued
4 pursuant to part III, chapter 39, Hawaii Revised Statutes. The
5 authorization to issue revenue bonds under this Act shall lapse
6 on June 30, 2024.

7 SECTION 6. The director of finance is authorized to issue
8 general obligation bonds in the sum of \$150,000,000 or so much
9 thereof as may be necessary and the same sum or so much thereof
10 as may be necessary is appropriated for fiscal year 2019-2020 to
11 the [~~Hawaii community development~~] stadium authority for the
12 [~~stadium development district.~~] development of the stadium
13 authority property for public use; provided that the
14 appropriation shall not lapse at the end of the fiscal year for
15 which the appropriation is made; provided further that all
16 moneys unencumbered as of June 30, 2022, shall lapse as of that
17 date."

18 PART IV

19 SECTION 11. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2020-2021 to
2 carry out the purposes of this Act.

3 The sum appropriated shall be expended by the stadium
4 authority for the purposes of this Act; provided that the
5 appropriation shall not lapse at the end of the fiscal year for
6 which the appropriation is made; provided further that all
7 moneys unencumbered as of June 30, 2022, shall lapse as of that
8 date.

9 PART V

10 SECTION 12. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 13. This Act shall take effect on July 1, 2050.



Report Title:

HCDA; Stadium Development District; Stadium Authority;
Membership; Appropriation

Description:

Establishes the stadium development special fund. Establishes general development guidance policies for the stadium authority's actions in the stadium development district. Requires the stadium authority to submit annual comprehensive status reports to the legislature. Authorizes the stadium authority to acquire and hold title to real property. Exempts land to which the stadium authority holds title from the definition of "public lands". Transfers authority to issue leases of lands within the stadium development district from the Hawaii community development authority to the stadium authority, including expenditure of general funds and issuance of revenue and general revenue bonds proceeds provided by Act 268, SLH 2019. Authorizes the stadium authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Repeals part IX of chapter 206E, HRS, relating to the stadium development district. Broadens the representation of the stadium authority by adding two members to its membership. Appropriates funds. Effective 7/1/2050. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

