
A BILL FOR AN ACT

RELATING TO THE PULEHUNUI COMMUNITY DEVELOPMENT DISTRICT.

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

1 SECTION 1. The legislature finds that public lands in
2 Pulehunui, Maui, are underused. Redeveloping, renovating, or
3 improving these public lands to provide suitable recreational,
4 residential, educational, industrial, governmental, and
5 commercial areas where the public can live, congregate,
6 recreate, attend schools, and shop as part of a thoughtfully
7 integrated experience is in the best interest of the State.

8 The purpose of this Act is to establish the Pulehunui
9 community development district and establish a board, to be
10 placed within the Hawaii community development authority and
11 attached to the department of business, economic development,
12 and tourism for administrative purposes, for the purpose of
13 managing the district.

14 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is
15 amended by adding a new part to be appropriately designated and
16 to read as follows:

17 **"PART . PULEHUNUI COMMUNITY DEVELOPMENT DISTRICT**



1 **§206E-A Definitions.** As used in this part:

2 "Board" means the Pulehunui community development district
3 board.

4 "District" means the Pulehunui community development
5 district.

6 "Fund" means the Pulehunui community development district
7 special fund.

8 "Small business" means a business that is independently
9 owned and that is not dominant in its field of operation.

10 **§206E-B District established; boundaries.** (a) The
11 Pulehunui community development district is hereby established
12 under the authority.

13 (b) The authority shall serve as the local redevelopment
14 agency for the district.

15 (c) The district shall be composed of the following
16 properties:

17 (1) TMK 2-3-8-008-001;

18 (2) TMK 2-3-8-008-007;

19 (3) TMK 2-3-8-008-037; and

20 (4) TMK 2-3-8-008-038.



1 **§206E-C District board; established.** (a) There is
2 established a Pulehunui community development district board, to
3 be placed under the authority and attached to the department of
4 business, economic development, and tourism for administrative
5 purposes, for the purpose of managing the district.

6 (b) The board shall consist of the following members, who
7 shall be considered in determining quorum and shall be eligible
8 to vote:

9 (1) The director of finance, or the director's designee;

10 (2) The director of transportation, or the director's
11 designee;

12 (3) The director of business, economic development, and
13 tourism, or the director's designee;

14 (4) The director of planning of the county in which the
15 district is located, or the director's designee;

16 (5) A cultural specialist;

17 (6) An at-large member nominated by the president of the
18 senate;

19 (7) An at-large member nominated by the speaker of the
20 house of representatives; and



(8) Two representatives of the Pulehunui community development district, consisting of:

(A) One resident of the island of Maui; and

(B) One owner of a small business or one officer or director of a nonprofit organization on the island of Maui.

All members, except the director of finance; director of transportation; director of business, economic development, and tourism; and director of planning of the county in which the district is located, or their designees, shall be appointed by the governor pursuant to section 26-34.

(c) The two at-large members nominated by the president of the senate and speaker of the house of representatives, respectively, shall each be appointed by the governor from a list of three nominees submitted for each position.

(d) The president of the senate and speaker of the house of representatives shall each submit a list of six nominees for the two representatives of the district to the governor to fill the two district representative positions. Of the two nominees for the district, one nominee shall meet the district residency requirement, and one nominee shall meet the district small



1 business owner or nonprofit organization officer or director
2 requirement. The governor shall appoint one member from a list
3 of nominees submitted by the president of the senate and one
4 member from a list of nominees submitted by the speaker of the
5 house of representatives.

6 (e) If a vacancy on the board occurs, a member shall be
7 appointed to fill the vacancy within thirty days of the vacancy
8 or within ten days of the senate's nonconfirmation of an
9 appointee, as applicable, and in the same manner as the initial
10 appointment.

11 (f) The terms of the director of finance; director of
12 transportation; director of business, economic development, and
13 tourism; and director of planning of the county in which the
14 district is located, or their respective designees, shall run
15 concurrently with each official's term of office. The terms of
16 the appointed voting members shall be for four years, commencing
17 on July 1 and expiring on June 30. The governor shall provide
18 for staggered terms for the appointed voting members so that the
19 initial terms of one appointed member selected by lot shall be
20 for two years, the initial terms of two appointed members



1 selected by lot shall be for three years, and the initial terms
2 of the remaining two appointed members shall be for four years.

3 (g) The governor may remove or suspend for cause any
4 member after due notice and public hearing.

5 (h) Notwithstanding section 92-15, a majority of all
6 eligible voting members as specified in this section shall
7 constitute a quorum to do business, and the concurrence of a
8 majority of all eligible voting members as specified in this
9 section shall be necessary to make any action of the board
10 valid.

11 (i) All members shall continue in office until their
12 respective successors have been appointed and qualified. Except
13 as herein provided, no member appointed under this section shall
14 be an officer or employee of the State or its political
15 subdivisions.

16 (j) The board shall annually elect the chairperson, vice
17 chairperson, and other officers from among its members.

18 (k) The members of the board shall serve without
19 compensation but shall be reimbursed for expenses, including
20 travel expenses, incurred in the performance of their duties.



1 **§206E-D Development policies.** The following development
2 policies shall guide the board in the district:

3 (1) Archaeological, historical, and cultural sites shall
4 be preserved and protected in accordance with chapter
5 6E;

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

8 (3) Land use and development activities within the
9 district shall be coordinated with and, to the extent
10 possible, complement existing county and state
11 policies, plans, and programs affecting the district;
12 and

13 (4) Public facilities within the district shall be
14 planned, located, and developed to support the
15 development policies established by this part and any
16 rules adopted pursuant to this part.

17 **§206E-E Financial aid from the federal government;**
18 **contracts with the federal government.** (a) The board may
19 secure financial aid from the federal government for any
20 planning, design, development, construction, and maintenance
21 work that the board is authorized to undertake.



1 (b) The powers granted to the authority under this chapter
2 shall be granted to the board. In addition, and supplemental to
3 the powers granted to the authority under section 206E-4, the
4 board may:

5 (1) Borrow moneys or accept grants from the federal
6 government in aid of or for any development project
7 the board is authorized to undertake pursuant to this
8 part;

9 (2) Issue bonds or other evidence of indebtedness and
10 pledge revenues and other assets as security for
11 indebtedness incurred pursuant to this part;

12 (3) Repay any indebtedness, including any interest
13 incurred thereon by the board pursuant to this part;

14 (4) Procure insurance or loan guarantees from the federal
15 government for the payment of any debts or parts
16 thereof secured by mortgages made by or held by the
17 board;

18 (5) Execute contracts with the federal government in
19 accordance with this part; and



(6) Comply with terms and conditions required by the federal government in any contract or grant for federal assistance.

(c) It is the purpose and intent of this section to authorize the board to do all things necessary to secure the cooperation of and financial aid from the federal government for any planning, design, development, construction, and maintenance work that the board is authorized to undertake pursuant to this part.

§206E-F Pulehunui community development district special fund. (a) There is established in the state treasury the Pulehunui community development district special fund into which shall be deposited:

(1) All revenues, income, and receipts of the authority for the district;

(2) Moneys directed, allocated, or disbursed to the district from government agencies or private individuals or organizations, including grants, gifts, awards, donations, and assessments of landowners, for costs to administer and operate the district; and

(3) Moneys appropriated to the fund by the legislature.



1 (b) Moneys in the fund shall be used only for the purposes
2 of this part.

3 (c) Investment earnings credited to the assets of the fund
4 shall become assets of the fund.

5 **§206E-G Annual comprehensive report.** No less than twenty
6 days prior to the convening of each regular session, the board
7 shall submit to the legislature an annual comprehensive report
8 on the progress of development within the district.

9 **§206E-H Rules; adoption.** The board may adopt rules in
10 accordance with chapter 91 to carry out the purposes of this
11 part."

12 SECTION 3. In codifying the new sections added by section
13 2 of this Act, the revisor of statutes shall substitute
14 appropriate section numbers for the letters used in designating
15 the new sections in this Act.

16 SECTION 4. This Act shall take effect on July 1, 2050.

17



H.B. NO. 1827 H.D. 2

Report Title:

Pulehunui Community Development District; Board; Special Fund

Description:

Establishes the Pulehunui community development district, board, and special fund. Effective 7/1/2050. (HD2)

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