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# A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1           SECTION 1. Section 206E-3, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) The authority shall consist of the director of  
4 finance, or the director's designee; the director of  
5 transportation, or the director's designee; the director of  
6 business, economic development, and tourism, or the director's  
7 designee; the director of planning and permitting of each county  
8 in which a community development district is located, or the  
9 director's designee; a cultural specialist; [an-at-large  
10 ~~member;~~] an at-large member nominated by the [senate]  
11 president[+] of the senate; an at-large member nominated by the  
12 speaker of the house[+] of representatives; [~~three~~] two  
13 representatives of the Heeia community development district,  
14 comprising [~~two residents~~] one resident of that district or the  
15 Koolaupoko district, which consists of sections 1 through 9 of  
16 zone 4 of the first tax map key division, and one owner of a  
17 small business or one officer or director of a nonprofit



1 organization in the Heeia community development district or  
2 Koolaupoko district [~~, nominated by the county council of the~~  
3 ~~county in which the Heeia community development district is~~  
4 ~~located~~]; [~~three~~] two representatives of the Kalaeloa community  
5 development district, comprising [~~two residents~~] one resident of  
6 the Ewa zone (zone 9, sections 1 through 2) or the Waianae zone  
7 (zone 8, sections 1 through 9) of the first tax map key  
8 division, and one owner of a small business or one officer or  
9 director of a nonprofit organization in the Ewa or Waianae  
10 zone [~~, nominated by the county council of the county in which~~  
11 ~~the Kalaeloa community development district is located~~]; [~~three~~]  
12 two representatives of the Kakaako community development  
13 district, comprising [~~two residents~~] one resident of the  
14 district and one owner of a small business or one officer or  
15 director of a nonprofit organization in the district [~~, nominated~~  
16 ~~by the county council of the county in which the Kakaako~~  
17 ~~community development district is located; the director of~~  
18 ~~planning and permitting of each county in which a community~~  
19 ~~development district is located or the director's designee, who~~  
20 ~~shall serve in an ex-officio, nonvoting capacity; and the~~  
21 ~~chairperson of the Hawaiian homes commission or the~~



1 ~~chairperson's designee, who shall serve in an ex officio,~~  
2 ~~nonvoting capacity].~~

3 All members, except the director of finance[7]; director of  
4 transportation[7]; county directors of planning and  
5 permitting[7]; and [chairperson of the Hawaiian homes  
6 commission] director of business, economic development, and  
7 tourism, or their designees, shall be appointed by the governor  
8 pursuant to section 26-34. The two at-large members nominated  
9 by the ~~[senate]~~ president of the senate and speaker of the house  
10 ~~[and the nine representatives of the respective community~~  
11 ~~development districts]~~ of representatives shall each be  
12 appointed by the governor from a list of three nominees  
13 submitted for each position by the nominating authority  
14 specified in this subsection. The president of the senate and  
15 the speaker of the house of representatives shall each submit a  
16 list of three nominees for each district to the governor to fill  
17 the two district representative positions for each community  
18 development district. Of the nominees for each community  
19 development district, one nominee shall meet the district  
20 residency requirement, and one nominee shall meet the district  
21 small business owner or nonprofit organization officer or



1 director requirement. For each community development district,  
2 the governor shall appoint one member from a list of nominees  
3 submitted by the president of the senate and one member from a  
4 list of nominees submitted by the speaker of the house of  
5 representatives.

6 The authority shall be organized and shall exercise  
7 jurisdiction as follows:

8 (1) For matters affecting the Heeia community development  
9 district, the following members shall be considered in  
10 determining quorum and majority and shall be eligible  
11 to vote:

12 (A) The director of finance, or the director's  
13 designee;

14 (B) The director of transportation, or the director's  
15 designee;

16 (C) The director of business, economic development,  
17 and tourism, or the director's designee;

18 (D) The director of planning and permitting for the  
19 county in which the Heeia community development  
20 district is located, or the director's designee;

21 [~~C~~] (E) The cultural specialist;



1       ~~[(D)]~~ (F) The ~~[three]~~ two at-large members; and

2       ~~[(E)]~~ (G) The ~~[three]~~ two representatives of the Heeia  
3                   community development district;

4           ~~[provided that the director of planning and permitting~~  
5           ~~of the relevant county or the director's designee~~  
6           ~~shall participate in these matters as an ex-officio,~~  
7           ~~nonvoting member and shall not be considered in~~  
8           ~~determining quorum and majority;]~~

9       (2) For matters affecting the Kalaeloa community  
10           development district, the following members shall be  
11           considered in determining quorum and majority and  
12           shall be eligible to vote:

13           (A) The director of finance,    or the director's  
14           designee;

15           (B) The director of transportation,    or the director's  
16           designee;

17           (C) The director of business, economic development,  
18           and tourism, or the director's designee;

19           (D) The director of planning and permitting for the  
20           county in which the Kalaeloa community



- 1                   development district is located, or the  
2                   director's designee;
- 3       [~~(C)~~] (E) The cultural specialist;
- 4       [~~(D)~~] (F) The [~~three~~] two at-large members; and
- 5       [~~(E)~~] (G) The [~~three~~] two representatives of the Kalaeloa  
6                   community development district;
- 7                   ~~[provided that the director of planning and permitting~~  
8                   ~~of the relevant county or the director's designee~~  
9                   ~~shall participate in these matters as an ex officio,~~  
10                  ~~nonvoting member and shall not be considered in~~  
11                  ~~determining quorum and majority;]~~
- 12       (3) For matters affecting the Kakaako community  
13                  development district, the following members shall be  
14                  considered in determining quorum and majority and  
15                  shall be eligible to vote:
- 16                  (A) The director of finance,    or the director's  
17                          designee;
- 18                  (B) The director of transportation,    or the director's  
19                          designee;
- 20                  (C) The director of business, economic development,  
21                          and tourism, or the director's designee;



1           (D) The director of planning and permitting for the  
2           county in which the Kakaako community development  
3           district is located, or the director's designee;  
4       [~~(C)~~] (E) The cultural specialist;  
5       [~~(D)~~] (F) The [~~three~~] two at-large members; and  
6       [~~(E)~~] (G) The [~~three~~] two representatives of the Kakaako  
7           community development district[~~;~~  
8           ~~provided that the director of planning and permitting~~  
9           ~~of the relevant county or the director's designee~~  
10          ~~shall participate in these matters as an ex officio,~~  
11          ~~nonvoting member and shall not be considered in~~  
12          ~~determining quorum and majority].~~

13           In the event of a vacancy, a member shall be appointed to  
14          fill the vacancy in the same manner as the original appointment  
15          within thirty days of the vacancy or within ten days of the  
16          senate's rejection of a previous appointment, as applicable.

17           The terms of the director of finance[~~;~~]; director of  
18          transportation[~~;~~]; county directors of planning and  
19          permitting[~~;~~]; and [~~chairperson of the Hawaiian homes~~  
20          ~~commission~~] director of the business, economic development, and  
21          tourism, or their respective designees, shall run concurrently



1 with each official's term of office. The terms of the appointed  
2 voting members shall be for four years, commencing on July 1 and  
3 expiring on June 30 [~~; provided that the initial terms of all~~  
4 ~~voting members initially appointed pursuant to Act 61, Session~~  
5 ~~Laws of Hawaii 2014, shall commence on March 1, 2015]~~. The  
6 governor shall provide for staggered terms of the initially  
7 appointed voting members so that the initial terms of four  
8 members selected by lot shall be for two years, the initial  
9 terms of four members selected by lot shall be for three years,  
10 and the initial terms of the remaining five members shall be for  
11 four years.

12 The governor may remove or suspend for cause any member  
13 after due notice and public hearing.

14 Notwithstanding section 92-15, a majority of all eligible  
15 voting members as specified in this subsection shall constitute  
16 a quorum to do business, and the concurrence of a majority of  
17 all eligible voting members as specified in this subsection  
18 shall be necessary to make any action of the authority valid.  
19 All members shall continue in office until their respective  
20 successors have been appointed and qualified. Except as herein



1 provided, no member appointed under this subsection shall be an  
2 officer or employee of the State or its political subdivisions.

3 ~~[For purposes of]~~ As used in this section, "small business"  
4 means a business ~~[which]~~ that is independently owned and ~~[which]~~  
5 that is not dominant in its field of operation."

6 SECTION 2. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2050;  
9 provided that the existing representatives of the Heeia  
10 community development district, Kalaeloa community development  
11 district, and Kakaako community development district shall  
12 continue to serve until the expiration of their respective  
13 terms.

14



**Report Title:**

Hawaii Community Development Authority; Nomination and Appointment of Representative Members

**Description:**

Amends the membership of the Hawaii Community Development Authority by removing the county council as the nominating authority for the community development district representatives, removing one at-large member, reducing the number of district resident representatives, and making the director of planning and permitting of each county a voting, rather than a nonvoting, member. 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.*

