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



1 requirement. For each community development district, the
2 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
6 Kalaeloa community development district;

7 ~~[provided that the director of planning and permitting~~
8 ~~of the relevant county and the chairperson of the~~
9 ~~Hawaiian homes commission, or their respective~~
10 ~~designees, shall participate in these matters as ex~~
11 ~~officio, nonvoting members and shall not be considered~~
12 ~~in determining quorum and majority;]~~

13 (3) For matters affecting the Kakaako community
14 development district, the following members shall be
15 considered in determining quorum and majority and
16 shall be eligible to vote:

17 (A) The director of finance, or the director's
18 designee;

19 (B) The director of transportation, or the director's
20 designee;



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

3 (D) The director of planning and permitting for the
4 county in which the Kakaako community development
5 district is located, or the director's designee;

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

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

8 ~~[(E)]~~ (G) The ~~[three]~~ two representatives of the

9 Kakaako community development district~~[-~~

10 ~~provided that the director of planning and permitting~~

11 ~~of the relevant county or the director's designee~~

12 ~~shall participate in these matters as an ex-officio,~~

13 ~~nonvoting member and shall not be considered in~~

14 ~~determining quorum and majority].~~

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

19 The terms of the director of finance~~[-]~~; director of
20 transportation~~[-]~~; director of the business, economic
21 development, and tourism, and county directors of planning and



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

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

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



1 successors have been appointed and qualified. Except as herein
2 provided, no member appointed under this subsection shall be an
3 officer or employee of the State or its political subdivisions.

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

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

9 SECTION 3. This Act shall take effect on July 1, 2022.



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. (SD1)

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

