
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 underutilized. Redeveloping, renovating,
3 or improving these public lands to provide suitable
4 recreational, residential, educational, industrial,
5 governmental, and commercial areas where the public can live,
6 congregate, recreate, attend schools, and shop as part of a
7 thoughtfully integrated experience is in the best interest of
8 the State.

9 The purpose of this Act is to establish the Pulehunui
10 community development district and the Pulehunui community
11 development district board.

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

15 "PART . PULEHUNUI COMMUNITY DEVELOPMENT DISTRICT
16 §206E- Definitions. As used in this part:



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

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

5 "Fund" means the Pulehunui community development special
6 fund.

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

9 §206E- Pulehunui community development district board;
10 established. (a) There is established Pulehunui community
11 development district board for the purpose of implementing this
12 part. The board shall be placed within the authority and
13 attached to the department of business, economic development,
14 and tourism for administrative purposes.

15 (b) The board shall consist of following members, who
16 shall be considered in determining quorum and majority and shall
17 be eligible to vote:

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

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



- 1 (3) The director of business, economic development, and
- 2 tourism or the director's designee;
- 3 (4) The Maui county director of planning and permitting or
- 4 the director's designee;
- 5 (5) A cultural specialist;
- 6 (6) An at-large member nominated by the president of the
- 7 senate;
- 8 (7) An at-large member nominated by the speaker of the
- 9 house of representatives; and
- 10 (8) Two representatives of the Pulehunui community
- 11 development district, consisting of one resident of
- 12 the island of Maui and one owner of a small business
- 13 or one officer or director of a nonprofit organization
- 14 on the island of Maui.

15 All members except the director of finance; director of
16 transportation; director of business, economic development, and
17 tourism; and Maui county director of planning and permitting or
18 their respective designees shall be appointed by the governor
19 pursuant to section 26-34. The two at-large members nominated
20 by the president of the senate and speaker of the house of
21 representatives shall each be appointed by the governor from a



1 list of three nominees submitted for each position by the
2 nominating authority specified in this subsection.

3 The president of the senate and the speaker of the house of
4 representatives shall each submit a list of six nominees to the
5 governor to fill the two district representative positions for
6 the Punlehunui community development district. Of the two
7 nominees for the Pulehunui community development district, one
8 nominee shall meet the district residency requirement and one
9 nominee shall meet the district small business owner or
10 nonprofit organization officer or director requirement. The
11 governor shall appoint one member from a list of nominees
12 submitted by the president of the senate, and one member from a
13 list of nominees submitted by the speaker of the house of
14 representatives.

15 If a vacancy occurs, a member shall be appointed to fill
16 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 business, economic development, and
21 tourism; and Maui county director of planning and permitting or



1 their respective designees shall run concurrently with each
2 official's term of office. The terms of the appointed voting
3 members shall be for four years, commencing on July 1 and
4 expiring on June 30. The governor shall provide for staggered
5 terms of the appointed voting members so that the initial term
6 of one member selected by lot shall be for two years, the
7 initial terms of two members selected by lot shall be for three
8 years, and the initial terms of the remaining two members shall
9 be for four years.

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

12 Notwithstanding section 92-15, a majority of all eligible
13 voting members as specified in this subsection shall constitute
14 a quorum to do business, and the concurrence of a majority of
15 all eligible voting members as specified in this subsection
16 shall be necessary to make any action of the board valid. All
17 members shall continue in office until their respective
18 successors have been appointed and qualified. Except as herein
19 provided, no member appointed under this subsection shall be an
20 officer or employee of the State or its political subdivisions.



1 (c) The board shall annually elect the chairperson, vice
2 chairperson, and other officers from among its members.

3 (d) The members of the board shall serve without
4 compensation, but each shall be reimbursed for expenses,
5 including travel expenses, incurred in the performance of their
6 duties.

7 **§206E- District established; boundaries.** The Pulehunui
8 community development district is hereby established. The
9 district shall comprise the following properties:

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

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

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

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

14 **§206E- Development policies.** The board shall serve as
15 the local redevelopment agency for the district. The following
16 shall be the development guidance policies generally governing
17 the board's actions in the district:

18 (1) Archaeological, historical, and cultural sites shall
19 be preserved and protected in accordance with
20 chapter 6E;



- 1 (2) Endangered species of flora and fauna shall be
- 2 preserved to the extent required by law;
- 3 (3) Land use and development activities within the
- 4 district shall be coordinated with and, to the extent
- 5 possible, complement existing county and state
- 6 policies, plans, and programs affecting the district;
- 7 and
- 8 (4) Public facilities within the district shall be
- 9 planned, located, and developed to support the
- 10 development policies established by this part and any
- 11 rules adopted pursuant to this part.

12 **§206E- Financial aid from the federal government;**

13 **contracts with the federal government.** (a) The board may:

- 14 (1) Secure financial aid from the federal government for
- 15 any planning, design, development, construction, and
- 16 maintenance work that the board is authorized to
- 17 undertake;
- 18 (2) Borrow moneys or accept grants from the federal
- 19 government in aid of or for any development project
- 20 the board is authorized to undertake pursuant to this
- 21 part;



- 1 (3) Issue bonds or other evidence of indebtedness and
- 2 pledge revenues and other assets as security for
- 3 indebtedness incurred pursuant to this part;
- 4 (4) Repay any indebtedness, including any interest
- 5 incurred thereon by the board pursuant to this part;
- 6 (5) Procure insurance or loan guarantees from the federal
- 7 government for the payment of any debts or parts
- 8 thereof secured by mortgages made by or held by the
- 9 board;
- 10 (6) Execute contracts with the federal government in
- 11 accordance with this part; and
- 12 (7) Comply with terms and conditions required by the
- 13 federal government in any contract or grant for
- 14 federal assistance.
- 15 (b) It is the purpose and intent of this section to
- 16 authorize the board to do all things necessary to secure the
- 17 cooperation of and financial aid from the federal government for
- 18 any planning, design, development, construction, and maintenance
- 19 work that the board is authorized to undertake pursuant to this
- 20 part.



1 **§206E- Pulehunui community development district special**
2 **fund.** (a) There is established in the state treasury the
3 Pulehunui community development special fund into which shall be
4 deposited:

5 (1) All revenues, income, and receipts of the board for
6 the district;

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

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

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

15 (c) Investment earnings credited to the assets of the fund
16 shall become assets of the fund.

17 **§206E- Annual comprehensive report.** Not less than
18 twenty days prior to the convening of each regular session, the
19 board shall submit to the legislature an annual comprehensive
20 report on the progress of development within the district.



1 §206E- **Rules; adoption.** The board may adopt rules in
2 accordance with chapter 91 to carry out the purposes of this
3 part."

4 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Pulehunui Community Development District; Pulehunui Community Development District Board

Description:

Establishes the Pulehunui Community Development District and the Pulehunui Community Development District Board. (SD1)

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

