
A BILL FOR AN ACT

RELATING TO GOVERNMENT OPERATIONS.

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

PART I

SECTION 1. The legislature finds that the effective, efficient, and appropriate development and redevelopment of state lands is an important priority, both for the purposes of economic development and for the creation of new facilities that are of benefit to the public. However, at present, expertise with land development is scattered around state government. The office of planning and sustainable development and the Hawaii state energy office are a part of, and the Hawaii green infrastructure authority is administratively attached to, the department of business, economic development, and tourism. The State's two real estate development agencies, the Hawaii housing finance and development corporation and Hawaii community development authority are also administratively attached to this department. The director of the office of planning and sustainable development and executive director of the Hawaii housing finance and development corporation are the co-chairs of the Hawaii interagency council for transit-oriented development.



1 The Hawaii technology development corporation is
2 administratively attached to the department of business,
3 economic development, and tourism and has recently become
4 responsible for the development of the first responders campus
5 on Oahu. The Hawaii tourism authority is also administratively
6 attached to the department of business, economic development,
7 and tourism and is considering redeveloping all or a part of the
8 Hawaii convention center.

9 However, the stadium authority is currently attached to the
10 department of accounting and general services and is responsible
11 for the construction of a new stadium and the development of the
12 area surrounding the stadium, which includes more than seventy
13 acres, is adjacent to the new Honolulu rail line, and is
14 currently used as a parking lot.

15 Consolidating the State's land development functions within
16 the department of business, economic development, and tourism
17 would centralize the State's land development expertise and
18 thereby more efficiently use the State's limited financial
19 resources and personnel.

20 Accordingly, the purpose of this Act is to improve the
21 operation of state government by:



- 1 (1) Establishing the director of business, economic
2 development, and tourism, or the director's designee,
3 as an ex officio voting member of the Hawaii tourism
4 authority and the stadium authority;
- 5 (2) Transferring the stadium authority from the department
6 of accounting and general services to the department
7 of business, economic development, and tourism;
- 8 (3) Amending the composition of the stadium authority;
- 9 (4) Amending the development guidance policies of the
10 stadium authority; and
- 11 (5) Reducing the amount of general obligation bonds that
12 may be issued to the stadium authority for the stadium
13 development district.

14 PART II

15 SECTION 2. The purpose of this part is to add the director
16 of business, economic development, and tourism to the board of
17 the Hawaii tourism authority as an ex officio voting member.

18 SECTION 3. Section 201B-2, Hawaii Revised Statutes, is
19 amended by amending subsection (b) to read as follows:



1 "(b) The authority shall be headed by a policy-making
2 board of directors that shall consist of twelve members;
3 provided that:

4 (1) The members shall be appointed by the governor as
5 provided in section 26-34, except as provided by this
6 section;

7 (2) The members shall include at least one representative
8 each from the city and county of Honolulu and the
9 counties of Hawaii, Kauai, and Maui;

10 (3) Three members shall be appointed by the governor from
11 a list of three names submitted for each appointment
12 by the president of the senate, and three members
13 shall be appointed by the governor from a list of
14 three names submitted for each appointment by the
15 speaker of the house of representatives; provided that
16 if fewer than three names are submitted for each
17 appointment, the governor may disregard the list;

18 (4) At least six members shall have knowledge, experience,
19 and expertise in the area of accommodations,
20 transportation, retail, entertainment, or attractions,
21 and at least one member appointed by the governor



1 shall have knowledge, experience, and expertise in the
2 area of Hawaiian cultural practices; provided that no
3 more than three members shall represent, be employed
4 by, or be under contract to any sector of the industry
5 represented on the board;

6 (5) One member shall be the director of business, economic
7 development, and tourism, or the director's designee,
8 who shall be an ex officio voting member;

9 ~~[(+5)]~~ (6) The governor shall make appointments to ensure
10 the fulfillment of all requirements of paragraphs (2)
11 and (4); provided that upon the occurrence of a
12 vacancy subject to paragraph (3), the governor shall
13 notify the president of the senate and the speaker of
14 the house of representatives of any unfulfilled
15 requirements pursuant to paragraphs (2) and (4), and
16 the president of the senate or the speaker of the
17 house of representatives, as appropriate, shall submit
18 nominees who fulfill those requirements; and

19 ~~[(+6)]~~ (7) No person who has served as a member of the board
20 of directors of the Hawaii Visitors and Convention
21 Bureau shall be eligible to sit as a member of the



1 board of directors of the Hawaii tourism authority
2 until at least two years have expired between the
3 person's termination from service on the Hawaii
4 Visitors and Convention Bureau board and the person's
5 appointment to the authority's board of directors."

6 SECTION 4. The amendments made to section 201B-2, Hawaii
7 Revised Statutes, shall apply to any vacancy of a Hawaii tourism
8 authority board of directors member appointed pursuant to
9 section 201B-2(b)(2) or (4), Hawaii Revised Statutes, that
10 occurs on or after the effective date of this Act.

11 PART III

12 SECTION 5. The purpose of this part is to:

- 13 (1) Transfer the stadium authority from the department of
14 accounting and general services to the department of
15 business, economic development, and tourism; and
16 (2) Make amendments to chapter 206E, Hawaii Revised
17 Statutes, relating to the membership of the stadium
18 authority, development guidance policies of the
19 stadium authority, and the amount of general
20 obligation bonds that may be issued to the stadium
21 authority.



SECTION 6. Section 109-1, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There shall be within the department of [~~accounting and general services~~] business, economic development, and tourism for administrative purposes only, a stadium authority whose responsibility shall be to maintain, operate, and manage the stadium development district. The authority shall consist of eleven members. Eight members [~~who~~] shall be appointed by the governor in the manner prescribed by section 26-34.

Of the [~~eleven~~] eight public members:

(1) One member shall be designated as the Aiea community representative and be a resident of one of the following areas:

(A) Excluding Ford Island, the area beginning at the intersection of the shoreline and Admiral Clarey (Ford Island) Bridge and running:

(i) Easterly along said bridge to Salt Lake boulevard;

(ii) Southeasterly along said boulevard to Luapele drive;

(iii) Westerly along said drive to Fleet place;



1 (iv) Westerly along said place to Ulithi street;

2 (v) Southwesterly along said street to Luapele
3 road;

4 (vi) Westerly along said road to Ulihi road;

5 (vii) Westerly along said road to Makalapa drive;

6 (viii) Southwesterly along said drive to Halawa
7 drive;

8 (ix) Northwesterly along said drive to Kamehameha
9 highway;

10 (x) Northerly along said highway to Halawa
11 stream;

12 (xi) Westerly along said stream to the shoreline;
13 and

14 (xii) Northerly along said shoreline to its
15 intersection with Admiral Clarey (Ford
16 Island) Bridge;

17 (B) The area beginning at the intersection of Kaonohi
18 street and H-1 freeway and running:

19 (i) Southeasterly along said freeway to the
20 Moanalua freeway - Kamehameha highway
21 connector;



(ii) Northwesterly along said highway connector
to Kamehameha highway;

(iii) Northwesterly along said highway to Aiea
stream;

(iv) Southerly along said stream to the
shoreline;

(v) Northwesterly along said shoreline to
Kalauao stream;

(vi) Northeasterly along said stream to
Kamehameha highway;

(vii) Northwesterly along said highway to Kaonohi
street; and

(viii) Northeasterly along said street to its
intersection with H-1 freeway; or

(C) The area beginning at the intersection of Waimalu
stream and Koolau ridge and running:

(i) Southeasterly along said ridge to
Ewa-Honolulu district boundary;

(ii) Southwesterly along said boundary to Red
Hill Naval Reservation boundary;



- 1 (iii) Southwesterly along said boundary to Tampa
2 drive;
- 3 (iv) Westerly along said drive to the unnamed
4 road;
- 5 (v) Northerly along said road to Icarus way;
- 6 (vi) Westerly along said way to the unnamed road;
- 7 (vii) Southwesterly along said road to Moanalua
8 freeway (H-201);
- 9 (viii) Westerly along said freeway to H-1 freeway;
- 10 (ix) Northwesterly along said freeway to Kaonohi
11 street;
- 12 (x) Southwesterly along said street to Moanalua
13 road;
- 14 (xi) Westerly along said road to Kaahumanu
15 street;
- 16 (xii) Northerly along said street to Komo Mai
17 drive;
- 18 (xiii) Easterly along said drive to Punanani gulch;
- 19 (xiv) Northeasterly along said gulch to the
20 powerline;



- 1 (xv) Southeasterly along said powerline to
2 Waimalu stream;
- 3 (xvi) Northeasterly along said stream to Aiea
4 stream;
- 5 (xvii) Easterly along said stream to Waimalu
6 stream; and
- 7 (xviii) Southeasterly along said stream to its
8 intersection with Koolau ridge; and
- 9 (2) One member shall be [~~from~~] designated as the west
10 Honolulu community representative and be a resident of
11 the area beginning at the intersection of H-1 freeway
12 and Moanalua freeway (H-201) and running:
- 13 (A) Southeasterly along said freeway to Aliamanu
14 Military Reservation southern boundary;
- 15 (B) Westerly along said boundary to Wanaka street;
- 16 (C) Southwesterly along said street to Likini street;
- 17 (D) Northwesterly along said street to Ukana street;
- 18 (E) Southwesterly along said street to Keaka drive;
- 19 (F) Northwesterly along said drive to Manuwa drive;
- 20 (G) Southeasterly along said drive to Pakini street;
- 21 (H) Southwesterly along said street to Keaka drive;



- 1 (I) Southerly along said drive to Puolo drive;
2 (J) Westerly along said drive to Likini street;
3 (K) Southerly along said street to Maluna street;
4 (L) Westerly along said street to Salt Lake
5 boulevard;
6 (M) Southeasterly along said boulevard to the former
7 street entrance to U.S. Naval Reservation;
8 (N) Southwesterly along said feature to Reeves loop;
9 (O) Southwesterly along said loop to Radford drive;
10 (P) Westerly along said drive to H-1 freeway; and
11 (Q) Northerly along said freeway to its intersection
12 with Moanalua freeway (H-201).
- 13 Each public member of the authority shall have been a citizen of
14 the United States and a resident of the State for at least five
15 years next preceding the member's appointment. The ~~[eleven]~~
16 remaining three members shall include the director of business,
17 economic development, and tourism or the director's designee,
18 who shall be an ex officio voting member, and the president of
19 the University of Hawaii and [the] superintendent of education,
20 or their designees, who shall be ex officio nonvoting members of
21 the authority ~~[but shall not vote]~~."



SECTION 7. Section 206E-221, Hawaii Revised Statutes, is amended to read as follows:

" ~~[§]206E-221[§]~~ Stadium development district; purpose; findings. The legislature finds that the aloha stadium and lands under the jurisdiction of the stadium authority and department of ~~[accounting and general services]~~ business, economic development, and tourism are underutilized. The stadium facility has been in dire need of significant repair and maintenance for many years. The stadium authority has considered repairing, upgrading, and replacing the existing facility to optimize the public's enjoyment and ensure public safety. Redeveloping, renovating, or improving these public lands in a manner that will provide suitable recreational, residential, educational, and commercial areas, where the public can live, congregate, recreate, attend schools, and shop, as part of a thoughtfully integrated experience, is in the best interests of the State and its people.

This part establishes the stadium development district to make optimal use of public land for the economic, residential, educational, and social benefit of the people of Hawaii.



1 The legislature finds that the jurisdiction of the
2 authority shall include development within the stadium
3 development district. Any development within the district shall
4 require a permit from the authority."

5 SECTION 8. Section 206E-224, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§206E-224 Development guidance policies.** The following
8 shall be the development guidance policies generally governing
9 the authority's actions in the district:

10 (1) Development shall be in accordance with stadium
11 development district development plans [~~or transit-~~
12 ~~oriented development plans~~] adopted by the stadium
13 authority for the development of the district;
14 provided that the plan or plans shall consider any
15 county [~~transit-oriented~~] development plan and allow
16 for public input in the plan's preparation and
17 updates;

18 (2) The authority, upon the concurrence of a majority of
19 its voting members, may modify and make changes to a
20 transit-oriented development plan with respect to the
21 district to respond to changing conditions; provided



1 that before amending a transit-oriented development
2 plan, the authority shall conduct a public hearing to
3 inform the public of the proposed changes and receive
4 public input;

5 (3) The authority shall seek to promote economic
6 development and employment opportunities by fostering
7 diverse land uses and encouraging private sector
8 investments that use the opportunities presented by
9 the high-capacity transit corridor project consistent
10 with the needs of the public, including mixed-use
11 housing and housing in transit-oriented developments;

12 (4) The authority may engage in planning, design, and
13 construction activities within and outside the
14 district; provided that activities outside the
15 district shall relate to infrastructure development,
16 area-wide drainage improvements, roadway realignments
17 and improvements, business and industrial relocation,
18 and other activities the authority deems necessary to
19 carry out development of the district and implement
20 this part. The authority may undertake studies or
21 coordinate activities in conjunction with the county



1 and appropriate state agencies and may address
2 facility systems, industrial relocation, and other
3 activities;

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

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

8 (7) 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 (8) Public facilities within the district shall be
14 planned, located, and developed to support the
15 development policies established by this chapter for
16 the district and rules adopted pursuant to this
17 chapter."

18 SECTION 9. Section 206E-225, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§206E-225 Stadium development district governance;
21 memorandum of agreement. Notwithstanding sections 206E-3 and



1 206E-4.1, the stadium authority established pursuant to section
2 109-1 shall have sole jurisdiction regarding matters affecting
3 the stadium development district; provided that the Hawaii
4 community development authority[7]; department of [~~accounting~~
5 ~~and general services,~~] business, economic development, and
6 tourism; and stadium authority shall enter into a memorandum of
7 agreement regarding the implementation of responsibilities of
8 the respective agencies."

9 SECTION 10. Act 268, Session Laws of Hawaii 2019,
10 section 6, as amended by section 5 of Act 4, Session Laws of
11 Hawaii 2020, as amended by section 18 of Act 146, Session Laws
12 of Hawaii 2021, is amended to read as follows:

13 "SECTION 6. The director of finance is authorized to issue
14 general obligation bonds in the sum of [~~\$170,000,000~~]
15 \$20,000,000 or so much thereof as may be necessary and the same
16 sum or so much thereof as may be necessary is appropriated for
17 fiscal year 2019-2020 to the stadium authority for the stadium
18 development district; provided that the appropriation made for
19 the capital improvement project authorized by this section shall
20 not lapse at the end of the fiscal year for which the
21 appropriation is made; provided further that all moneys from the



1 appropriation unencumbered as of June 30, 2024, shall lapse as
2 of that date.

3 The sum appropriated shall be expended by the stadium
4 authority for the purposes of this Act."

5 SECTION 11. All rights, powers, functions, and duties of
6 the department of accounting and general services as they relate
7 to the stadium authority are transferred to the department of
8 business, economic development, and tourism.

9 All officers and employees whose functions are transferred
10 by this part shall be transferred with their functions and shall
11 continue to perform their regular duties upon their transfer,
12 subject to the state personnel laws and this part.

13 No officer or employee of the State having tenure shall
14 suffer any loss of salary, seniority, prior service credit,
15 vacation, sick leave, or other employee benefit or privilege as
16 a consequence of this part, and such officer or employee may be
17 transferred or appointed to a civil service position without the
18 necessity of examination; provided that the officer or employee
19 possesses the minimum qualifications for the position to which
20 transferred or appointed; provided further that subsequent



1 changes in status may be made pursuant to applicable civil
2 service and compensation laws.

3 An officer or employee of the State who does not have
4 tenure and who may be transferred or appointed to a civil
5 service position as a consequence of this part shall become a
6 civil service employee without the loss of salary, seniority,
7 prior service credit, vacation, sick leave, or other employee
8 benefits or privileges and without the necessity of examination;
9 provided that such officer or employee possesses the minimum
10 qualifications for the position to which transferred or
11 appointed.

12 If an office or position held by an officer or employee
13 having tenure is abolished, the officer or employee shall not
14 thereby be separated from public employment, but shall remain in
15 the employment of the State with the same pay and classification
16 and shall be transferred to some other office or position for
17 which the officer or employee is eligible under the personnel
18 laws of the State as determined by the head of the department or
19 the governor.

20 SECTION 12. All rules, policies, procedures, guidelines,
21 and other material adopted or developed by the department of



1 accounting and general services to implement provisions of the
2 Hawaii Revised Statutes that are reenacted or made applicable to
3 the department of business, economic development, and tourism by
4 this part shall remain in full force and effect until amended or
5 repealed by the department of business, economic development,
6 and tourism pursuant to chapter 91, Hawaii Revised Statutes.

7 In the interim, every reference to the department of
8 accounting and general services, or comptroller in those rules,
9 policies, procedures, guidelines, and other material is amended
10 to refer to the department of business, economic development,
11 and tourism or director of business, economic development, and
12 tourism, as appropriate.

13 SECTION 13. All deeds, leases, contracts, loans,
14 agreements, permits, or other documents executed or entered into
15 by or on behalf of the department of accounting and general
16 services, pursuant to the provisions of the Hawaii Revised
17 Statutes, that are reenacted or made applicable to the
18 department of business, economic development, and tourism by
19 this part shall remain in full force and effect. Upon the
20 effective date of this part, every reference to the department
21 of accounting and general services or the comptroller therein



1 shall be construed as a reference to the department of business,
2 economic development, and tourism or the director of business,
3 economic development, and tourism, as appropriate.

4 SECTION 14. All appropriations, records, equipment,
5 machines, files, supplies, contracts, books, papers, documents,
6 maps, and other personal property heretofore made, used,
7 acquired, or held by the department of accounting and general
8 services relating to the functions transferred to the department
9 of business, economic development, and tourism shall be
10 transferred with the functions to which they relate.

11 PART IV

12 SECTION 15. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 16. This Act shall take effect on July 1, 2022.



Report Title:

DBEDT; DAGS; HTA; Stadium Authority; Hawaii Tourism Authority; Transfer; Stadium Development District; General Obligations Bonds

Description:

Establishes the Director of Business, Economic Development, and Tourism, or a designee of the director, as an ex-officio voting member of the Hawaii Tourism Authority and Stadium Authority boards. Transfers the Stadium Authority from the Department of Accounting and General Services to the Department of Business, Economic Development, and Tourism. Amends the composition of the Stadium Authority. Amends the development guidance policies of the Stadium Authority. Reduces the amount of general obligation bonds that may be issued for the stadium development district. (CD1)

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

