

ACT 149

S.B. NO. 889

A Bill for an Act Relating to Sports.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 109-2, Hawaii Revised Statutes, is amended to read as follows:

“§109-2 Stadium authority; powers and duties. The powers and duties of the stadium authority shall be as follows:

- (1) To maintain, operate, and manage the stadium and related facilities[.];
- (2) To prescribe and collect rents, fees, and charges for the use or enjoyment of the stadium or any of its facilities[.];
- (3) To make and execute contracts and other instruments necessary or convenient to exercise its powers under this chapter and subject to any limitations in this chapter, to exercise all powers necessary, incidental, or convenient to carry out and effectuate the purposes and provisions of this chapter[.];
- (4) To [make,] adopt, amend, and repeal in accordance with chapter 91 [such] rules [as] it may deem necessary[.] to effectuate this chapter and in connection with its projects, operations, and facilities;
- (5) To appoint a manager and a deputy manager who shall have such qualifications as the authority deems necessary and who shall hold their respective offices at the pleasure of the authority. The manager and deputy manager shall be exempt from the requirements of chapters 76, 77, and 89. Effective January 1, 1989, and January 1, 1990, the salary of the manager shall be set by the governor within the range from \$69,748 to \$74,608 and \$72,886 to \$77,966 a year, respectively. Effective January 1, 1989, and January 1, 1990, the salary of the deputy manager shall be \$62,854 and \$65,683 a year, respectively. The manager shall have full power to administer the affairs of the stadium and related facilities, subject to the direction and approval of the authority. The manager shall, subject to the approval of the authority, have power to appoint, suspend, and discharge a secretary who shall be exempt from the requirements of chapters 76, 77, and 89, and such other employees, subordinates, and assistants as may be necessary for the proper conduct of the business of the authority. Except for persons hired on contract or otherwise as provided in section 109-3 and except for the manager [and], deputy manager, and secretary, all appoint-

ments, suspensions, or discharges shall be made in conformity with the applicable provisions of chapters 76 and 77[.]; and

- (6) To plan, promote, and market the stadium and its related facilities.”

SECTION 2. Section 109-3, Hawaii Revised Statutes, is amended to read as follows:

“**§109-3 Stadium special fund.** There is created a special fund to be known as the stadium special fund into which funds collected by the authority shall be deposited. The fund shall be applied, used, and disposed of for the payment of:

- (1) The expenses of the operation, maintenance, promotion, and management of; and
- (2) All or a portion of the cost of financing any capital improvement project for;

the stadium and related facilities; provided that all services required for the stadium and related facilities shall be performed by persons hired on contract or otherwise, without regard for chapters 76 [or] and 77; provided further that the authority shall report to the legislature all receipts and expenditures of the stadium special fund account twenty days prior to the convening of each regular session.”

SECTION 3. With the assistance and cooperation of other governmental agencies, the stadium authority shall be responsible for the planning, promotion, and marketing of the Aloha stadium and its related facilities, and shall to the extent possible work toward generating positive national and international media exposure for Hawaii through sports and other events.

SECTION 4. The auditor shall conduct a review of sports promotion activities now performed by the department of business, economic development, and tourism to determine:

- (1) Whether the transfer of some or all of those activities to the stadium authority, another existing agency, or a separate sports authority would promote efficiency or cost effectiveness;
- (2) What measures will be necessary to avoid commingling of funds between the stadium special fund and the general fund; and
- (3) How the general fund would be affected by such a transfer.

The auditor shall submit a report of the findings and recommendations to the legislature prior to the convening of the regular session 1996.

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved June 13, 1995.)