

**ACT 144**

S.B. NO. 1069

A Bill for an Act Relating to the Hawaii Community Development Authority.

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

SECTION 1. In 2006, the legislature enacted Act 317, Session Laws of Hawaii 2006, that, in part, prohibits the Hawaii community development authority from selling or assigning the fee simple interest in any lands in the Kakaako community development district, except for certain specified uses or

reasons. Act 317 also prohibits the approval of any plan or proposal for any residential development in the Kakaako makai area of the Kakaako community development district.

In that same year, the legislature also adopted House Concurrent Resolution No. 30, S.D. 1, urging the authority to immediately rescind both its request for proposals and any contract or agreement awarded, or commitment made, to Alexander & Baldwin Properties, Inc., for the development of Kakaako makai. These measures were adopted because of the public's strong opposition to the project submitted by Alexander & Baldwin. Furthermore, the concurrent resolution urged the authority to immediately convene a working group of interested stakeholders to meaningfully participate in the development, acceptance, and implementation of any future plans for the development of Kakaako makai.

The purpose of this Act is to ensure that the working group meaningfully participates with the authority's development, acceptance, and implementation of any future plans for the development of the Kakaako makai area of the Kakaako community development district.

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

**“§206E- Kakaako makai; plan.** In developing, accepting, and implementing any plans for the development of the Kakaako makai area within the Kakaako community development district, the authority shall collaborate with and consider the recommendations of the Kakaako makai community planning advisory council, established pursuant to house concurrent resolution no. 30, regular session of 2006, and organized in 2007. Any transfer of property in the Kakaako makai area within the Kakaako community development district to any state or county agency shall be upon the condition that the agency shall be required to collaborate with and consider the recommendations of the Kakaako makai community planning advisory council in the development, acceptance, and implementation of any plan for the transferred property. As used in this section, “Kakaako makai” means the area within the Kakaako community development district that is from the east side of Kewalo basin at the ewa wall of Ala Moana Park, to Forrest Avenue, and from Ala Moana Boulevard to the ocean.”

SECTION 3. New statutory material is underscored.<sup>1</sup>

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

(Approved June 23, 2009.)

#### Note

1. Edited pursuant to HRS §23G-16.5.