

ACT 152

H.B. NO. 1020

A Bill for an Act Relating to the Aloha Tower Development Corporation.

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

SECTION 1. Section 206J-3, Hawaii Revised Statutes, is amended to read as follows:

"§206J-3 Aloha Tower complex; designated boundaries. The Aloha Tower complex is established. The complex shall include the area bounded by Nimitz Highway beginning at its intersection with the Diamond Head boundary of tax map key 2-1-13:7 north along Nimitz Highway to its intersection ~~[with the makai boundary of tax map key 1-7-1:6; northeast along River Street to its intersection with King Street; north along King Street to its intersection with Iwilei Road west along Iwilei Road to its intersection with Nimitz Highway at the Ewa makai corner of tax map key 1-5-08:1; south along Nimitz Highway to its intersection with the boundary between tax map key 1-5-8:1 and tax map key 1-5-8:9; west along a line to the Diamond Head mauka corner of tax map key 1-5-40:4; west along Nimitz Highway to its intersection with the Ewa boundary of tax map key 1-5-38:4; south along the Ewa boundaries of tax map key 1-5-38:4 and 1-5-38:5 to Honolulu Harbor; east along the waterfront boundary of tax map key 1-5-38:5 to Pier 23; south along Pier 23 to the southwest end of Pier 22; continuing along a line in the same direction to its intersection with the Honolulu Harbor Federal Project Line; northeast along the Honolulu Harbor Federal Project Line to a point in Honolulu Harbor 475 feet perpendicular to Pier 11; southwest along a line parallel to Piers 10 and 11 to its intersection with a line extending from the southwest end of Pier 22 to the point of intersection of the Honolulu Harbor Federal Project Line and a line extending along Pier 8 into Honolulu Harbor; southeast along a line to the point of intersection of the Honolulu Federal Project Line and a line extending along Pier 8 into Honolulu Harbor; southeast along the Honolulu Harbor Federal Project Line to its intersection with a line extending along Pier 4 into Honolulu Harbor; east along a line from that intersection and along Pier 4 to its intersection with Nimitz Highway;] at Pier 11 and Nimitz Highway; southwest along the face of Piers 10 and 11; southeast along the face of Pier 9; northeast along the face of Pier 8; southeast parallel along the revetment of Ala Moana Boulevard and to include Pier 7; southwest along Pier 6 and its shoreline and around to Pier 5 and its shoreline; northeast to Ala Moana Boulevard; north along Nimitz Highway to its intersection with Richards Street; southwest along Richards Street to its intersection with Ala Moana Boulevard; northwest along Ala Moana Boulevard to its intersection with the Ewa boundary of tax map key 2-1-14:6; northeast along the Ewa boundary of tax map key 2-1-14:6 to its Ewa mauka corner; and northwest across Bishop Street to the point of beginning at the intersection of~~

the Diamond Head boundary of tax map key 2-1-13:7 and Nimitz Highway. [The complex shall also include the area bounded by Iwilei Road beginning with its intersection with Nimitz Highway; west along Iwilei Road to its intersection with Pacific Street; southeast along Pacific Street to its intersection with the Ewa mauka corner of tax map key 1-5-38:4; east along Nimitz Highway to its intersection with the Diamond Head mauka corner of tax map key 1-50-40:4; east along a line to the point of intersection at the boundary between tax map key 1-5-8:1 and tax map key 1-5-8:9; north along Nimitz Highway to the point of beginning at the intersection of Nimitz Highway and Iwilei Road. All fast and submerged lands contained within these areas shall also be included.]”

SECTION 2. Section 206J-4, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) There is established the Aloha Tower development corporation, which shall be a public body corporate and politic, a public instrumentality, and an agency of the State. The development corporation shall be placed within the department of [~~business, economic development, and tourism~~] transportation for administrative purposes, pursuant to section 26-35.

(b) [~~Except as provided in section 206J-5.5, the~~] The development corporation shall consist of a board of directors having [~~seven~~] three voting members[-]; The director of business, economic development, and tourism, the director of transportation, [~~the chairperson of the board of land and natural resources, and the mayor of the city and county of Honolulu, or their respective designated representatives, shall serve as ex officio voting members.~~] and the deputy director of transportation, harbors division. [~~Three members from the public at large shall be appointed by the governor for staggered terms pursuant to section 26-34 and shall also serve as voting members; provided that no public member shall be an officer or employee of the State or its political subdivisions. All members shall continue in office until their respective successors have been appointed.~~] The board, by a majority vote, shall elect a chairperson from within its membership.”

SECTION 3. Section 206J-17, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) There is created the Aloha Tower fund. [~~All:~~

(1) Moneys;

(2) Rentals;

(3) Charges;

(4) Other] All moneys, rentals, charges, other revenues of the development corporation[;], and

[~~(5) Moneys~~] moneys or charges received by the department of [~~business, economic development, and tourism;~~] transportation,

including reimbursements for costs and staff services as a result of planning, development, or redevelopment of the lands located seaward of Nimitz Highway between Pier 4 and [~~the Honolulu International Airport~~] Pier 11 shall be deposited into the fund.”

2. By amending subsection (c) to read:

“(c) The moneys on deposit in the fund shall be used for the purposes of this chapter, lease payments to the department of transportation, and for the development, redevelopment, or improvement of the Honolulu Waterfront located seaward of Nimitz Highway between Pier 4 and [~~the Honolulu International Airport.~~] Pier 11.”

SECTION 4. Section 206J-5.5, Hawaii Revised Statutes, is repealed.

SECTION 5. All fund balances remaining unencumbered and unexpended as of June 30, 2011, in the Aloha Tower Fund shall lapse to the credit of the harbor special fund and shall be used for operating expenses for the Aloha Tower development corporation.

The sum appropriated shall be expended by the department of transportation for the purposes of this Act.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 2011.

(Approved June 23, 2011.)