

ACT 146

H.B. NO. 1348

A Bill for an Act Relating to the Stadium Development District.

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

PART I

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

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

Of the eleven members:

- (1) One member shall 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;
 - (iv) Westerly along said place to Ulihi street;
 - (v) Southwesterly along said street to Luapele road;
 - (vi) Westerly along said road to Ulihi road;

- (vii) Westerly along said road to Makalapa drive;
- (viii) Southwesterly along said drive to Halawa drive;
- (ix) Northwesterly along said drive to Kamehameha highway;
- (x) Northerly along said highway to Halawa stream;
- (xi) Westerly along said stream to the shoreline; and
- (xii) Northerly along said shoreline to its intersection with Admiral Clarey (Ford Island) Bridge;
- (B) The area beginning at the intersection of Kaonohi street and H-1 freeway and running:
 - (i) Southeasterly along said freeway to the Moanalua freeway - Kamehameha highway 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;
 - (iii) Southwesterly along said boundary to Tampa drive;
 - (iv) Westerly along said drive to the unnamed road;
 - (v) Northerly along said road to Icarus way;
 - (vi) Westerly along said way to the unnamed road;
 - (vii) Southwesterly along said road to Moanalua freeway (H-201);
 - (viii) Westerly along said freeway to H-1 freeway;
 - (ix) Northwesterly along said freeway to Kaonohi street;
 - (x) Southwesterly along said street to Moanalua road;
 - (xi) Westerly along said road to Kaahumanu street;
 - (xii) Northerly along said street to Komo Mai drive;
 - (xiii) Easterly along said drive to Punanani gulch;
 - (xiv) Northeasterly along said gulch to the powerline;
 - (xv) Southeasterly along said powerline to Waimalu stream;
 - (xvi) Northeasterly along said stream to Aiea stream;
 - (xvii) Easterly along said stream to Waimalu stream; and
 - (xviii) Southeasterly along said stream to its intersection with Koolau ridge; and
- (2) One member shall be from the area beginning at the intersection of H-1 freeway and Moanalua freeway (H-201) and running:
 - (A) Southeasterly along said freeway to Aliamanu Military Reservation southern boundary;
 - (B) Westerly along said boundary to Wanaka street;
 - (C) Southwesterly along said street to Likini street;
 - (D) Northwesterly along said street to Ukana street;
 - (E) Southwesterly along said street to Keaka drive;
 - (F) Northwesterly along said drive to Manuwa drive;

- (G) Southeasterly along said drive to Pakini street;
- (H) Southwesterly along said street to Keaka drive;
- (I) Southerly along said drive to Puolo drive;
- (J) Westerly along said drive to Likini street;
- (K) Southerly along said street to Maluna street;
- (L) Westerly along said street to Salt Lake boulevard;
- (M) Southeasterly along said boulevard to the former street entrance to U.S. Naval Reservation;
- (N) Southwesterly along said feature to Reeves loop;
- (O) Southwesterly along said loop to Radford drive;
- (P) Westerly along said drive to H-1 freeway; and
- (Q) Northerly along said freeway to its intersection with Moanalua freeway (H-201).

Each member of the authority shall have been a citizen of the United States and a resident of the State for at least five years next preceding the member's appointment. The eleven members shall include the president of the University of Hawaii and the superintendent of education, who shall be ex officio members of the authority but shall not vote.

(b) The chairperson of the authority shall be elected by the majority of the members of the authority. The term of each member shall be four years[;]; provided that [ef]:

- (1) Of the members initially appointed, three members shall serve for four years, three members shall serve for three years, and the remaining three members shall serve for two years[;]; and
- (2) The terms of the members added by Act , Session Laws of Hawaii 2021, shall commence on July 1, 2021.

No person shall be appointed consecutively to more than two terms as a member of the authority. Vacancies shall be filled for the remainder of any unexpired term in the same manner as original appointments.”

SECTION 2. 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 ~~repair, maintain, and operate[, and manage the stadium and related facilities;]~~ stadium facilities and the stadium development district, including:
 - (A) Repairs, maintenance, operations, and demolition of existing stadium facilities;
 - (B) Operations and maintenance of a new stadium; and
 - (C) Contractual payments to developers, contractors, or management contractors engaged by the stadium authority;
- (2) To coordinate in planning, design, and construction activities, including on-site repairs, within the stadium development district;
- (3) To acquire and hold title to real property;
- (2) (4) To prescribe and collect rents, fees, and charges for the use or enjoyment of the stadium [~~or any of its~~], facilities[;] related to the stadium, and real property held by the stadium authority, including entering into leases, contracts, sponsorship and advertising agreements, food and beverage agreements, concession agreements, parking agreements, or other development and use agreements that may apply; provided that leases shall not exceed a term of ninety-nine years;

- [(3)] (5) 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)] (6) To adopt, amend, and repeal, in accordance with chapter 91, rules it may deem necessary to effectuate this chapter and in connection with its projects, operations, and facilities;
- [(5)] (7) To appoint [a manager and a deputy manager who shall have 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 and 89. Effective July 1, 2005, the manager shall be paid a salary not to exceed eighty-seven per cent of the salary of the director of human resources development. Effective July 1, 2005, the deputy manager shall be paid a salary not to exceed eighty-five per cent of the manager's salary. 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 and 89, and 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, deputy manager, and secretary, all appointments, suspensions, or discharges shall be made in conformity with the applicable provisions of chapter 76;] officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries, without regard to chapters 76 and 89, to manage the stadium, the stadium development district, and its contractors; and
- [(6)] (8) To plan, promote, and market the stadium and related facilities.”

SECTION 3. Section 109-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any law enforcement officer who has police powers to arrest offenders and issue citations, including any police officer of the counties, shall have the authority to enforce any rule [~~promulgated~~] adopted pursuant to section [409-2(4)-] 109-2(6).”

SECTION 4. Section 171-2, Hawaii Revised Statutes, is amended to read as follows:

“**§171-2 Definition of public lands.** “Public lands” means all lands or interest therein in the State classed as government or crown lands previous to August 15, 1895, or acquired or reserved by the government upon or subsequent to that date by purchase, exchange, escheat, or the exercise of the right of eminent domain, or in any other manner; including lands accreted after May 20, 2003, and not otherwise awarded, submerged lands, and lands beneath tidal waters that are suitable for reclamation, together with reclaimed lands that have been given the status of public lands under this chapter, except:

- (1) Lands designated in section 203 of the Hawaiian Homes Commission Act, 1920, as amended;
- (2) Lands set aside pursuant to law for the use of the United States;

- (3) Lands being used for roads and streets;
 - (4) Lands to which the United States relinquished the absolute fee and ownership under section 91 of the Hawaiian Organic Act prior to the admission of Hawaii as a state of the United States unless subsequently placed under the control of the board of land and natural resources and given the status of public lands in accordance with the state constitution, the Hawaiian Homes Commission Act, 1920, as amended, or other laws;
 - (5) Lands to which the University of Hawaii holds title;
 - (6) Lands to which the Hawaii housing finance and development corporation in its corporate capacity holds title;
 - (7) Lands to which the Hawaii community development authority in its corporate capacity holds title;
 - (8) Lands set aside by the governor to the Hawaii public housing authority or lands to which the Hawaii public housing authority in its corporate capacity holds title;
 - (9) Lands to which the department of agriculture holds title by way of foreclosure, voluntary surrender, or otherwise, to recover moneys loaned or to recover debts otherwise owed the department under chapter 167;
 - (10) Lands that are set aside by the governor to the Aloha Tower development corporation[;], lands leased to the Aloha Tower development corporation by any department or agency of the State[;], or lands to which the Aloha Tower development corporation holds title in its corporate capacity;
 - (11) Lands that are set aside by the governor to the agribusiness development corporation[;], lands leased to the agribusiness development corporation by any department or agency of the State[;], or lands to which the agribusiness development corporation in its corporate capacity holds title;
 - (12) Lands to which the Hawaii technology development corporation in its corporate capacity holds title; ~~and~~
 - (13) Lands to which the department of education holds title; and
 - (14) Lands to which the stadium authority holds title;
- provided that, except as otherwise limited under federal law and except for state land used as an airport as defined in section 262-1, public lands shall include the air rights over any portion of state land upon which a county mass transit project is developed after July 11, 2005[-]; provided further that if the lands pursuant to paragraph (14) are no longer needed for the stadium development district or related purposes, the lands shall be returned to the public land trust administered by the department.”

SECTION 5. Section 171-64.7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) This section applies to all lands or interest therein owned or under the control of state departments and agencies classed as government or crown lands previous to August 15, 1895, or acquired or reserved by the government upon or subsequent to that date by purchase, exchange, escheat, or the exercise of the right of eminent domain, or any other manner, including accreted lands not otherwise awarded, submerged lands, and lands beneath tidal waters that are suitable for reclamation, together with reclaimed lands that have been given the status of public lands under this chapter, including:

- (1) Land set aside pursuant to law for the use of the United States;

- (2) Land to which the United States relinquished the absolute fee and ownership under section 91 of the Organic Act prior to the admission of Hawaii as a state of the United States;
- (3) Land to which the University of Hawaii holds title;
- (4) Land to which the Hawaii housing finance and development corporation in its corporate capacity holds title;
- (5) Land to which the department of agriculture holds title by way of foreclosure, voluntary surrender, or otherwise, to recover moneys loaned or to recover debts otherwise owed the department under chapter 167;
- (6) Land that is set aside by the governor to the Aloha Tower development corporation[;] or land to which the Aloha Tower development corporation holds title in its corporate capacity;
- (7) Land that is set aside by the governor to the agribusiness development corporation[;] or land to which the agribusiness development corporation in its corporate capacity holds title;
- (8) Land to which the Hawaii technology development corporation in its corporate capacity holds title;
- (9) Land to which the department of education holds title; ~~and~~
- (10) Land to which the Hawaii public housing authority in its corporate capacity holds title[-]; and
- (11) Land to which the stadium authority holds title."

PART II

SECTION 6. Chapter 109, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§109- Stadium development special fund; established. (a) There is established in the state treasury the stadium development special fund, into which funds collected by the stadium authority shall be deposited, including:

- (1) All revenues from the stadium development district, including but not limited to agreements or actions generating revenue related to stadium operations, lease or rental of facilities or land, concessions, food and beverage, parking, sponsorship and advertising, utilities and infrastructure, and development;
- (2) All gifts or grants awarded in any form from any public agency or any other source for purposes of the stadium development district;
- (3) All proceeds from revenue bonds issued for the purpose of the stadium development district; and
- (4) Appropriations made by the legislature to the fund.

(b) Moneys in the stadium development special fund shall be used by the stadium authority for the payment of expenses arising from any and all use, operation, repair, maintenance, alteration, improvement, development, or any unforeseen or unplanned repairs of the stadium development district, including without limitation:

- (1) The development, operation, and maintenance of a new stadium;
- (2) Food and beverage service and parking service provided at the stadium facility; the sale of souvenirs, logo items, or other items; any future major repair, maintenance, and improvement of the stadium facility as a commercial enterprise or as a world-class facility for athletic events, entertainment, or public events; and marketing the facility pursuant to section 109-2(4) and (8); and
- (3) Contractual payments to developers or contractors engaged by the stadium authority for the purpose of redeveloping the site and re-

lated on- and off-site infrastructure that benefits the stadium district and its development guidance policies.”

SECTION 7. Section 206E-222, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Authority” or “stadium authority” means the stadium authority established pursuant to section 109-1.”

SECTION 8. Section 109-3, Hawaii Revised Statutes, is amended to read as follows:

“**§109-3 Stadium special fund.** (a) 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 stadium special 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 chapter 76; 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[-] until the stadium special fund is closed pursuant to subsection (c).

(b) Notwithstanding subsection (a), all moneys collected by the stadium authority after the effective date of Act _____, Session Laws of Hawaii 2021, shall be deposited into the stadium development special fund pursuant to section 109-_____.

(c) Upon the effective date of Act _____, Session Laws of Hawaii 2021, the stadium special fund established herein shall be abolished, and all appropriations, encumbrances, and the remaining unencumbered balance shall be transferred to the stadium development special fund.”

SECTION 9. Section 109-8, Hawaii Revised Statutes, is amended to read as follows:

“**§109-8 Lost and found money or property at the stadium.** All money or property found at the stadium shall be reported or delivered by the finder to the stadium lost and found, and when so delivered shall be held by the stadium for forty-five days or until claimed by some person who establishes title or right of custody thereto to the satisfaction of the stadium manager, whichever is shorter. In the event of establishment of title or right of custody, the money or property shall be delivered to the claimant by the manager or the manager’s agent. If after forty-five days no claimant establishes a right to the money or property, the money or property may be claimed by the person who delivered it to the stadium lost and found; provided that if the person who delivered it to the stadium lost and found fails to claim the money or property within thirty days after being notified by the manager, the manager shall deposit the money into the state treasury to the credit of the stadium development special fund or shall dispose of the property by public auction. The manager shall give public notice, giving details as to time and place of the auction and giving notice to all persons interested in claiming the property that unless claims are made by persons who can provide satisfactory proof of ownership before a specified date, the property will be sold at public auction to the highest bidder; provided that if the manager considers the highest bid to be insufficient, the manager shall have

the right to decline the sale to the highest bidder and may reoffer the property at a subsequent public auction. On the day and at the place specified in the notice, all property for which no satisfactory proof of ownership is made shall be sold by auction by or under the direction of the manager.

If any property which is of a perishable nature or which is unreasonably expensive to keep or safeguard remains unclaimed at the stadium, the manager may sell that property at public auction, at a time and after notice that is reasonable under the circumstances. If the manager determines that any property delivered to the manager pursuant to this section has no apparent commercial value, the manager at any time thereafter may destroy or otherwise dispose of the property.

The manager shall deposit into the stadium development special fund all moneys received from the sale, destruction, or disposition of any property. No action or proceeding shall be brought or maintained against the State or any officer thereof on account of such sale, destruction, or disposition. The purchaser of property at any sale conducted by the manager pursuant to this section shall receive good title to the property purchased and shall take possession of the property free from any and all claims of the owner, prior owners, and any person claiming title.

For purposes of this section, notice by regular mail to the last known address of the person who delivered the money or property to the stadium lost and found shall be deemed sufficient.”

SECTION 10. Section 206E-223, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The stadium development district is established and shall be composed of all ~~[land]~~ real property under the jurisdiction of the stadium authority established pursuant to section 109-1. The stadium authority shall have sole jurisdiction over the development of the stadium development district.”

SECTION 11. Section 206E-224, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§206E-224]]~~ **Development guidance policies.** The following shall be the development guidance policies generally governing the authority’s actions in the district:

- (1) Development shall be in accordance with ~~[any county]~~ stadium development district development plans or transit-oriented development [plan, unless modified by the authority pursuant to paragraph (2);] plans adopted by the stadium authority for the development of the district; provided that the plan or plans shall consider any county transit-oriented development plan and allow for public input in the plan’s preparation and updates;
- (2) ~~[With the approval of the governor, the]~~ The authority, upon the concurrence of a majority of its voting members, may modify and make changes to a transit-oriented development plan with respect to the district to respond to changing conditions; provided that before amending a transit-oriented development plan, the authority shall conduct a public hearing to inform the public of the proposed changes and receive public input;
- (3) The authority shall seek to promote economic development and employment opportunities by fostering diverse land uses and encouraging private sector investments that use the opportunities presented by the high-capacity transit corridor project consistent with

- the needs of the public, including ~~[mixed-use]~~ mixed-use housing and housing in transit-oriented developments;
- (4) The authority may engage in planning, design, and construction activities within and outside the district; provided that activities outside the district shall relate to infrastructure development, area-wide drainage improvements, roadway realignments and improvements, business and industrial relocation, and other activities the authority deems necessary to carry out development of the district and implement this part. The authority may undertake studies or ~~[coordinating]~~ coordinate activities in conjunction with the county and appropriate state agencies and may address facility systems, industrial relocation, and other activities;
 - (5) ~~[Hawaiian archaeological,]~~ Archaeological, historic, and cultural sites shall be preserved and protected~~[:]~~ in accordance with chapter 6E;
 - (6) Endangered species of flora and fauna shall be preserved to the extent ~~[feasible;]~~ required by law;
 - (7) Land use and development activities within the district shall be coordinated with and, to the extent possible, complement existing county and state policies, plans, and programs affecting the district; and
 - (8) Public facilities within the district shall be planned, located, and developed to support the development policies established by this chapter for the district and rules adopted pursuant to this chapter.”

SECTION 12. Section 206E-225, Hawaii Revised Statutes, is amended to read as follows:

~~“[§206E-225]~~ **Stadium development district governance; memorandum of agreement.** Notwithstanding ~~[section]~~ sections 206E-3[, for] and 206E-4.1, the stadium authority established pursuant to section 109-1 shall have sole jurisdiction regarding matters affecting the stadium development district[, the executive director of the authority, state comptroller, and the stadium authority shall execute a memorandum of agreement with the appropriate state agencies.]; provided that the Hawaii community development authority, department of accounting and general services, and stadium authority shall enter into a memorandum of agreement regarding the implementation of responsibilities of the respective agencies.”

PART III

SECTION 13. Section 36-27, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Except as provided in this section, and notwithstanding any other law to the contrary, from time to time, the director of finance, for the purpose of defraying the prorated estimate of central service expenses of government in relation to all special funds, except the:

- (1) Special out-of-school time instructional program fund under section 302A-1310;
- (2) School cafeteria special funds of the department of education;
- (3) Special funds of the University of Hawaii;
- (4) State educational facilities improvement special fund;
- (5) Convention center enterprise special fund under section 201B-8;
- (6) Special funds established by section 206E-6;
- (7) Aloha Tower fund created by section 206J-17;

- (8) Funds of the employees' retirement system created by section 88-109;
- (9) Hawaii hurricane relief fund established under chapter 431P;
- (10) Hawaii health systems corporation special funds and the subaccounts of its regional system boards;
- (11) Tourism special fund established under section 201B-11;
- (12) Universal service fund established under section 269-42;
- (13) Emergency and budget reserve fund under section 328L-3;
- (14) Public schools special fees and charges fund under section 302A-1130;
- (15) Sport fish special fund under section 187A-9.5;
- [(16)] Neurotrauma special fund under section 321H-4;
- [(17)] Glass advance disposal fee established by section 342G-82;
- [(18)] Center for nursing special fund under section 304A-2163;
- [(19)] Passenger facility charge special fund established by section 261-5.5;
- [(20)] Solicitation of funds for charitable purposes special fund established by section 467B-15;
- [(21)] Land conservation fund established by section 173A-5;
- [(22)] Court interpreting services revolving fund under section 607-1.5;
- [(23)] Trauma system special fund under section 321-22.5;
- [(24)] Hawaii cancer research special fund;
- [(25)] Community health centers special fund;
- [(26)] Emergency medical services special fund;
- [(27)] Rental motor vehicle customer facility charge special fund established under section 261-5.6;
- [(28)] Shared services technology special fund under section 27-43;
- [(29)] Automated victim information and notification system special fund established under section 353-136;
- [(30)] Deposit beverage container deposit special fund under section 342G-104;
- [(31)] Hospital sustainability program special fund under [(section 346G-4)];
- [(32)] Nursing facility sustainability program special fund under [(section 346F-4)];
- [(33)] Hawaii 3R's school improvement fund under section 302A-1502.4;
- [(34)] After-school plus program revolving fund under section 302A-1149.5; ~~and~~
- [(35)] Civil monetary penalty special fund under section 321-30.2[-]; and
- (36) ~~Stadium development special fund under section 109-~~

shall deduct five per cent of all receipts of all other special funds, which deduction shall be transferred to the general fund of the State and become general realizations of the State. All officers of the State and other persons having power to allocate or disburse any special funds shall cooperate with the director in effecting these transfers. To determine the proper revenue base upon which the central service assessment is to be calculated, the director shall adopt rules pursuant to chapter 91 for the purpose of suspending or limiting the application of the central service assessment of any fund. No later than twenty days prior to the convening of each regular session of the legislature, the director shall report all central service assessments made during the preceding fiscal year.”

SECTION 14. Section 36-30, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- “(a) Each special fund, except the:
 - (1) Special out-of-school time instructional program fund under section 302A-1310;

- (2) School cafeteria special funds of the department of education;
- (3) Special funds of the University of Hawaii;
- (4) State educational facilities improvement special fund;
- (5) Special funds established by section 206E-6;
- (6) Aloha Tower fund created by section 206J-17;
- (7) Funds of the employees' retirement system created by section 88-109;
- (8) Hawaii hurricane relief fund established under chapter 431P;
- (9) Convention center enterprise special fund established under section 201B-8;
- (10) Hawaii health systems corporation special funds and the subaccounts of its regional system boards;
- (11) Tourism special fund established under section 201B-11;
- (12) Universal service fund established under section 269-42;
- (13) Emergency and budget reserve fund under section 328L-3;
- (14) Public schools special fees and charges fund under section 302A-1130;
- (15) Sport fish special fund under section 187A-9.5;
- [(16)] Neurotrauma special fund under section 321H-4;
- [(17)] Center for nursing special fund under section 304A-2163;
- [(18)] Passenger facility charge special fund established by section 261-5.5;
- [(19)] Court interpreting services revolving fund under section 607-1.5;
- [(20)] Trauma system special fund under section 321-22.5;
- [(21)] Hawaii cancer research special fund;
- [(22)] Community health centers special fund;
- [(23)] Emergency medical services special fund;
- [(24)] Rental motor vehicle customer facility charge special fund established under section 261-5.6;
- [(25)] Shared services technology special fund under section 27-43;
- [(26)] Nursing facility sustainability program special fund established pursuant to [(section 346F-4)];
- [(27)] Automated victim information and notification system special fund established under section 353-136;
- [(28)] Hospital sustainability program special fund under [(section 346G-4)]; ~~and~~
- [(29)] Civil monetary penalty special fund under section 321-30.2[-]; and
- (30) Stadium development special fund under section 109-

shall be responsible for its pro rata share of the administrative expenses incurred by the department responsible for the operations supported by the special fund concerned."

PART IV

SECTION 15. Section 84-17, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) The financial disclosure statements of the following persons shall be public records and available for inspection and duplication:

- (1) The governor, the lieutenant governor, the members of the legislature, candidates for and delegates to the constitutional convention, the trustees of the office of Hawaiian affairs, and candidates for state elective offices;
- (2) The directors of the state departments and their deputies, regardless of the titles by which the foregoing persons are designated; provided that with respect to the department of the attorney general, the fore-

- going shall apply only to the attorney general and the first deputy attorney general;
- (3) The administrative director of the State;
 - (4) The president, the vice presidents, the assistant vice presidents, the chancellors, members of the board of regents, and the provosts of the University of Hawaii;
 - (5) The members of the board of education and the superintendent, the deputy superintendent, the state librarian, and the deputy state librarian of the department of education;
 - (6) The administrative director and the deputy director of the courts;
 - (7) The administrator and the assistant administrator of the office of Hawaiian affairs; and
 - (8) The members of the following state boards, commissions, and agencies:
 - (A) The board of directors of the agribusiness development corporation established under section 163D-3;
 - (B) The board of agriculture established under section 26-16;
 - (C) The state ethics commission established under section 84-21;
 - (D) The Hawaii community development authority established under section 206E-3;
 - (E) The Hawaiian homes commission established under the Hawaiian Homes Commission Act of 1920, as amended, and section 26-17;
 - (F) The board of directors of the Hawaii housing finance and development corporation established under section 201H-3;
 - (G) The board of land and natural resources established under section 171-4;
 - (H) The state land use commission established under section 205-1;
 - (I) The legacy land conservation commission established under section 173A-2.4;
 - (J) The natural area reserves system commission established under section 195-6;
 - (K) The board of directors of the natural energy laboratory of Hawaii authority established under section 227D-2;
 - (L) The board of directors of the Hawaii public housing authority established under section 356D-3;
 - (M) The public utilities commission established under section 269-2; ~~and~~
 - (N) The commission on water resource management established under section 174C-7[-]; and
 - (O) The stadium authority established under section 109-1.

PART V

SECTION 16. Act 268, Session Laws of Hawaii 2019, is amended by adding a new section to read as follows:

“SECTION 7A. The stadium authority, as the designated expending agency for capital improvement projects authorized in this Act, with the approval of the governor, may delegate to other state agencies the implementation of projects, including the transfer of funds to implement those projects, when it is determined to be advantageous to do so by the stadium authority as the original expending agency and the agency to which expending authority is to be delegated.”

SECTION 17. Act 268, Session Laws of Hawaii 2019, section 5, is amended to read as follows:

~~“SECTION 5. [The legislature finds and declares that the issuance of revenue bonds under this Act is in the public interest and for the public health, safety, and general welfare. Pursuant to part III, chapter 39, Hawaii Revised Statutes. Accordingly, the Hawaii community development authority, with the approval of the governor, may issue in one or more series revenue bonds in a total amount not to exceed \$180,000,000 for the Hawaii community development authority to implement the stadium development district as provided for in part —, chapter 206E, Hawaii Revised Statutes.~~

~~The proceeds of the revenue bonds shall be deposited into the Hawaii community development revolving fund created in section 206E-16, Hawaii Revised Statutes.~~

~~The revenue bonds authorized under this Act shall be issued pursuant to part III, chapter 39, Hawaii Revised Statutes. The authorization to issue revenue bonds under this Act shall lapse on June 30, 2024.] REPEALED.”~~

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

“SECTION 6. The director of finance is authorized to issue general obligation bonds in the sum of \$170,000,000 or so much thereof as may be necessary and the same sum or so much thereof as may be necessary is appropriated for fiscal year 2019-2020 to the [~~Hawaii community development~~] stadium authority for the stadium development district; provided that the appropriation made for the capital improvement project authorized by this section shall not lapse at the end of the fiscal year for which the appropriation is made; provided further that all moneys from the appropriation unencumbered as of June 30, [~~2022,]~~ 2024, shall lapse as of that date.

The sum appropriated shall be expended by the [~~Hawaii community development~~] stadium authority for the purposes of this Act.”

SECTION 19. Act 268, Session Laws of Hawaii 2019, as amended by Act 4, Session Laws of Hawaii 2020, is amended by amending section 7 to read as follows:

“SECTION 7. The appropriation made for the capital improvement project authorized by section 6 of this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all moneys from the appropriation unencumbered as of June 30, [~~2022,]~~ 2024, shall lapse as of that date.”

PART VI

SECTION 20. General obligation bonds appropriated by Act 268, Session Laws of Hawaii 2019, as amended by Act 4, Session Laws of Hawaii 2020, that have been allotted and encumbered prior to approval of this Act shall continue to be expended in accordance with the memorandum of agreement executed by and between the Hawaii community development authority, stadium authority, and department of accounting and general services.

PART VII

SECTION 21. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 22. This Act shall take effect upon its approval.

(Approved June 30, 2021.)

Note

1. Edited pursuant to HRS §23G-16.5.