
A BILL FOR AN ACT

RELATING TO RECREATION.

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

1 SECTION 1. The legislature finds that Aloha stadium is a
2 public asset with major structural deficiencies, yet untapped
3 potential. The legislature further finds that transferring
4 jurisdiction over Aloha stadium to a public body with corporate
5 powers is in the public interest. The legislature believes that
6 such a corporation would be better able to maximize the use and,
7 consequently, income of Aloha stadium and generate support for
8 the capital improvement of Aloha stadium to substantially extend
9 its useful life. The legislature also believes that placing
10 Aloha stadium under a corporation may result in the generation
11 of net income transferable to the University of Hawaii's
12 intercollegiate athletics program.

13 The purpose of this Act is to create the University of
14 Hawaii stadium corporation and transfer jurisdiction over Aloha
15 stadium to the corporation. The primary duty of the stadium
16 corporation is to operate, maintain, manage, and improve Aloha
17 stadium with the University of Hawaii as the major tenant. The
18 secondary duty is to generate net income from Aloha stadium that



1 may be transferred to the intercollegiate athletics program of
2 the University of Hawaii. The stadium corporation shall be
3 headed by a board of directors consisting of 11 members. One
4 member is to be the University of Hawaii president. Five
5 members are to be appointed by the university board of regents
6 without necessity of senate confirmation. Five other members
7 are to be appointed by the governor, subject to the confirmation
8 of the senate. All appointed members are required to have
9 experience in business, marketing, accounting, economics,
10 engineering, architecture, or sports administration. The
11 stadium corporation is provided with certain autonomy and
12 flexibility to perform its duties.

13 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
14 amended by adding a new subpart to part VII to be appropriately
15 designated and to read as follows:

16 " . UNIVERSITY OF HAWAII STADIUM CORPORATION
17 **§304A-A University of Hawaii stadium corporation;**
18 **creation.** There is established as a body corporate the
19 University of Hawaii stadium corporation. The corporation shall
20 be a public instrumentality and shall be a part of the
21 University of Hawaii for administrative purposes pursuant to
22 section 26-35.



1 **§304A-B Duties of stadium corporation.** (a) The stadium
2 corporation shall have the primary duty of maintaining,
3 operating, managing, and improving Aloha stadium with the
4 University of Hawaii as the major tenant. The stadium
5 corporation shall perform this duty within the limits of
6 available legislative appropriations.

7 (b) The stadium corporation shall have the secondary duty
8 of generating net income that may be transferred to the
9 intercollegiate athletics program of the University of Hawaii.

10 **§304A-C Stadium corporation board of directors.** (a) The
11 stadium corporation shall be under the general management and
12 control of a board of directors.

13 (b) The board of directors shall consist of eleven
14 members. The president of the university shall serve as an ex
15 officio voting member. Five members shall be appointed by the
16 board of regents without necessity of confirmation by the
17 senate. Five other members shall be appointed by the governor
18 pursuant to section 26-34. All appointed members shall be
19 appointed to four-year terms commencing on July 1 and expiring
20 on June 30; except that two of the initial appointees of each
21 appointing authority shall be appointed to two-year terms. All
22 appointed members shall have experience in business, marketing,



1 accounting, economics, engineering, architecture, or sports
2 administration.

3 (c) No person shall be appointed consecutively to more
4 than two full terms as a member of the board of directors.

5 (d) When an appointed member vacates the member's seat on
6 the board of directors, the vacancy shall be filled for the
7 remainder of the unexpired term in the same manner as the
8 original appointment.

9 (e) The officers of the board of directors shall be
10 elected by the members.

11 (f) Members of the board of directors shall serve without
12 compensation, but shall be entitled to reimbursement for
13 necessary expenses, including travel expenses, while attending
14 meetings and discharging official duties and responsibilities.

15 (g) The board of directors may adopt, amend, and repeal
16 bylaws under chapter 91 governing the conduct of its business
17 and the exercise of its powers.

18 **§304A-D Powers of stadium corporation.** To perform its
19 duties, the stadium corporation, under the direction of the
20 board of directors, shall have the following powers:

21 (1) To have a corporate seal;

22 (2) To sue and be sued in its own name;



- 1 (3) To establish policies for the maximum appropriate use
2 of Aloha stadium;
- 3 (4) To prescribe and collect fees and charges for the use
4 of Aloha stadium; provided that the stadium
5 corporation shall provide waivers or discounts for
6 intercollegiate athletics events of the University of
7 Hawaii and interscholastic athletics and musical
8 events of Hawaii's public and private lower education
9 schools;
- 10 (5) To make and execute contracts and other instruments
11 with other government agencies and private persons;
- 12 (6) To adopt, amend, and repeal rules in accordance with
13 chapter 91;
- 14 (7) To promote and market Aloha stadium;
- 15 (8) To solicit and accept gifts, grants, devises, or
16 bequests for Aloha stadium;
- 17 (9) To amend, alter, or change the name of Aloha stadium
18 in consideration of a fee and other consideration;
- 19 (10) To serve as trustee or beneficiary under the terms of
20 any gift, indenture, or bequest; and
- 21 (11) To do any or all other acts reasonably necessary to
22 carry out its duties and the purposes of this subpart.



1 **§304A-E Officers and employees of the stadium corporation.**

2 (a) The board of directors shall appoint a stadium manager and
3 deputy stadium manager, each of whom shall have such
4 qualifications as the board deems necessary. The stadium
5 manager and deputy stadium manager shall serve at the pleasure
6 of the board and shall be exempt from the requirements of
7 chapters 76 and 89, but shall be entitled to participate in any
8 employee benefit program generally applicable to employees of
9 the State. The board of directors shall set the salaries of the
10 stadium manager and deputy stadium manager and may give the
11 stadium manager and deputy stadium manager bonuses based on the
12 revenues of Aloha stadium. The stadium manager shall serve as
13 the chief executive officer of the stadium corporation and
14 administer Aloha stadium, subject to the direction of the board.
15 The deputy stadium manager shall be the first assistant to the
16 stadium manager, perform all duties assigned by the stadium
17 manager, and serve as acting stadium manager in the absence of
18 the stadium manager. The stadium manager shall have the power
19 to appoint, suspend, or discharge a secretary who shall serve at
20 the pleasure of the stadium manager and shall be exempt from the
21 requirements of chapters 76 and 89.



1 (b) The stadium manager shall appoint other employees as
2 may be authorized by the board of directors to administer the
3 stadium corporation. The employees shall be subject to chapters
4 76 and 89.

5 **§304A-F Aloha stadium special fund.** (a) There is created
6 the Aloha stadium special fund within the treasury of the State.

7 (b) The following shall be deposited into the special
8 fund:

- 9 (1) Income earned by the stadium corporation from fees and
10 charges for the use or renaming of Aloha stadium;
11 (2) Interest earned on moneys in the special fund; and
12 (3) Any legislative appropriations.

13 (c) Moneys in the Aloha stadium special fund shall be
14 appropriated and expended to operate, maintain, manage, and
15 improve Aloha stadium and, if required by the legislature, to
16 reimburse the general fund for debt service paid on general
17 obligation bonds issued for capital improvement projects for
18 Aloha stadium.

19 Moneys in the special fund shall not be appropriated or
20 expended to pay debt service on any revenue bonds.

21 (d) In addition to subsection (c), unappropriated and
22 unencumbered moneys in the special fund that the board of



1 directors determines are not necessary to be retained as
2 reserves may be transferred to the University of Hawaii for its
3 intercollegiate athletics program. The transfer of
4 unappropriated and unencumbered moneys shall be approved by the
5 board of directors without necessity of approval by the board of
6 regents, university president, director of finance, or the
7 legislature.

8 (e) Nothing in this section or this subpart shall be
9 construed as prohibiting the appropriation and expenditure of
10 other moneys, such as general funds or general obligation bond
11 funds, for Aloha stadium.

12 **§304A-G Fees and charges.** In establishing or amending
13 fees and charges for the use of Aloha stadium, the stadium
14 corporation shall be exempt from chapter 91. The stadium
15 corporation, however, shall establish or amend the fees and
16 charges at an open meeting held in conformance with chapter 92.

17 **§304A-H Funding of capital improvement projects for Aloha**
18 **stadium.** (a) Debt service on general obligation bonds for
19 capital improvement projects for Aloha stadium that were issued
20 before the effective date of this Act shall be paid from the
21 general fund.



1 (b) After the effective date of this Act, capital
2 improvement projects for Aloha stadium shall be funded by the
3 Aloha stadium special fund or general obligation bonds. The
4 legislature shall use its discretion to determine whether the
5 debt service on the general obligation bonds should be
6 reimbursed by the Aloha stadium special fund or paid only with
7 general funds.

8 (c) No revenue bonds shall be authorized or issued to fund
9 any capital improvement project for Aloha stadium.

10 **§304A-I Payments from Aloha stadium special fund.** Moneys
11 appropriated by the legislature from the Aloha stadium special
12 fund shall be payable by the director of finance upon vouchers
13 approved by the stadium manager.

14 **§304A-J Security personnel, powers.** The person employed
15 as the chief security officer for Aloha stadium by the stadium
16 corporation shall have all of the powers of a police officer,
17 including the power of arrest; provided that such powers shall
18 be in force and effect only while the person is in the actual
19 performance of the person's duties at Aloha stadium.

20 **§304A-K Enforcement; penalty.** (a) Any law enforcement
21 officer who has police powers to arrest offenders and issue



1 citations shall have the authority to enforce any rule adopted
2 by the stadium corporation.

3 (b) Except as otherwise provided under subsection (c), any
4 person violating any rule of the stadium corporation regulating
5 conduct at Aloha stadium shall be guilty of a petty misdemeanor.

6 (c) Any person violating any rule of the stadium
7 corporation regulating parking or traffic at Aloha stadium shall
8 have committed a traffic infraction as set forth in chapter
9 291D, the adjudication of which shall be subject to the
10 provisions of that chapter."

11 SECTION 3. Chapter 304A, Hawaii Revised Statutes, is
12 amended by adding a new section to subpart C of part V to be
13 appropriately designated and to read as follows:

14 "§304A- Aloha stadium special fund. The Aloha stadium
15 special fund shall be subject to part VII, subpart ."

16 SECTION 4. Section 37-35, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§37-35 Estimated expenditures; approval. [The] (a)
19 Except as otherwise provided in this section, the director of
20 finance shall review all estimates submitted under section 37-34
21 and, having due regard for:



1 (1) The probable further needs of the department or
2 establishment for the remainder of the term for which
3 the appropriation was made;

4 (2) The terms and purposes of the appropriation, the
5 progress of collection of revenues, and condition of
6 the treasury; and

7 (3) The probable receipts and total cash requirements for
8 the ensuing quarter,

9 shall approve, increase, or reduce the amount of the [~~estimate,~~
10 ~~provided that the~~] estimates. The director shall act promptly
11 upon all estimates and notify each department or establishment,
12 as well as the comptroller, of the department's or
13 establishment's allotment.

14 (b) The director of finance shall approve the estimates
15 submitted by the University of Hawaii, other than the University
16 of Hawaii stadium corporation, when:

17 (1) The sum of the estimates for each funding source does
18 not exceed the applicable allotment ceilings
19 established by the governor under section 37-34;

20 (2) The progress of collection of revenues, the condition
21 of the treasury, and the probable receipts and total
22 cash requirements for the ensuing quarter permit; and



1 (3) All other legal requirements are satisfied.
2 ~~[The director shall act promptly upon all estimates and notify~~
3 ~~each department or establishment of its allotment, and shall~~
4 ~~notify the comptroller.] The director of finance shall approve~~
5 ~~the estimates submitted by the University of Hawaii stadium~~
6 ~~corporation when in conformance with legislative~~
7 ~~appropriations."~~

8 SECTION 5. Section 40-84, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§40-84 Petty cash funds; regulations.** Whenever the head
11 of any state department, board, bureau, commission, or other
12 agency deems it necessary to have a petty cash fund for the
13 proper transaction of the business of the agency, a written
14 application therefor shall be made to the comptroller setting
15 forth the details covering the purposes and uses of and for the
16 fund. The comptroller, before issuing a state warrant for that
17 purpose, shall determine whether or not the business of the
18 agency warrants the establishment of such a fund, and if the
19 comptroller is satisfied that such a fund is necessary, the
20 comptroller shall issue a state warrant to such agency for an
21 amount as the comptroller shall determine, not to exceed the sum
22 of \$100,000, except that this limitation of \$100,000 shall not



1 apply to the University of Hawaii and the [~~stadium authority.~~]
2 University of Hawaii stadium corporation.

3 The comptroller may prescribe such rules as the comptroller
4 may deem necessary for the proper administration and
5 accountability of these funds."

6 SECTION 6. Section 78-1, Hawaii Revised Statutes, is
7 amended by amending subsection (f) to read as follows:

8 "(f) This section shall not apply to persons recruited by
9 the University of Hawaii under the authority of section
10 [~~+~~]304A-1001 [~~-~~] or by the University of Hawaii stadium
11 corporation."

12 SECTION 7. Section 89-6, Hawaii Revised Statutes, is
13 amended by amending subsection (g) to read as follows:

14 "(g) The following individuals shall not be included in
15 any appropriate bargaining unit or be entitled to coverage under
16 this chapter:

- 17 (1) Elected or appointed official;
18 (2) Member of any board or commission; provided that
19 nothing in this paragraph shall prohibit a member of a
20 collective bargaining unit from serving on a local
21 school board of a charter school or the charter school
22 review panel established under chapter 302B;



- 1 (3) Top-level managerial and administrative personnel,
2 including the department head, deputy or assistant to
3 a department head, administrative officer, director,
4 or chief of a state or county agency or major
5 division, and legal counsel;
- 6 (4) Secretary to top-level managerial and administrative
7 personnel under paragraph (3);
- 8 (5) Individual concerned with confidential matters
9 affecting employee-employer relations;
- 10 (6) Part-time employee working less than twenty hours per
11 week, except part-time employees included in
12 bargaining unit (5);
- 13 (7) Temporary employee of three months' duration or less;
- 14 (8) Employee of the executive office of the governor or a
15 household employee at Washington Place;
- 16 (9) Employee of the executive office of the lieutenant
17 governor;
- 18 (10) Employee of the executive office of the mayor;
- 19 (11) Staff of the legislative branch of the State;
- 20 (12) Staff of the legislative branches of the counties,
21 except employees of the clerks' offices of the
22 counties;



- 1 (13) Any commissioned and enlisted personnel of the Hawaii
2 national guard;
- 3 (14) Inmate, kokua, patient, ward, or student of a state
4 institution;
- 5 (15) Student help;
- 6 (16) Staff of the Hawaii labor relations board;
- 7 (17) Employee of the Hawaii national guard youth challenge
8 academy; [~~or~~]
- 9 (18) Employee of the office of elections[~~-~~]; or
- 10 (19) The stadium manager and deputy stadium manager of
11 Aloha stadium and persons hired on contract by the
12 University of Hawaii stadium corporation."

13 SECTION 8. Section 103D-102, Hawaii Revised Statutes, is
14 amended by amending subsection (c) to read as follows:

15 "(c) Notwithstanding subsection (a), this chapter shall
16 not apply to [~~contracts~~];

- 17 (1) Contracts made by any regional system board of the
18 Hawaii health systems corporation[~~-~~]; and
- 19 (2) Contracts made by the University of Hawaii stadium
20 corporation for the operation, maintenance,
21 management, and improvement of Aloha stadium, except



1 contracts for University of Hawaii facilities or
2 services."

3 SECTION 9. Section 304A-2003, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~+~~§304A-2003~~+~~ **Appropriations; accounts; depositories.**

6 ~~[Moneys]~~ Except as otherwise provided for moneys appropriated
7 from the Aloha stadium special fund, moneys appropriated by the
8 legislature for the university shall be payable by the director
9 of finance, upon vouchers approved by the board of regents or by
10 any officer elected or appointed by the board under section
11 304A-105 and authorized by the board to approve such vouchers on
12 behalf of the board. All moneys received by or on behalf of the
13 board or the university shall be deposited with the director of
14 finance; except that any moneys received from the federal
15 government or from private contributions shall be deposited and
16 accounted for in accordance with conditions established by the
17 agencies or persons from whom the moneys are received and except
18 that, with the concurrence of the director of finance, moneys
19 received from the federal government for research, training, and
20 other related purposes of a transitory nature and moneys in
21 trust, special, or revolving funds administered by the
22 university may be deposited in depositories other than the state



1 treasury; provided that the university informs the director of
 2 finance of the depositories in which moneys from the funds have
 3 been deposited and submits copies of annual statements from each
 4 of the depositories in which the moneys from the funds are
 5 deposited. All income from tuition and fees charged for regular
 6 courses of instruction and tuition related course and fee
 7 charges against students shall be deposited to the credit of the
 8 University of Hawaii tuition and fees special fund pursuant to
 9 section [‡]304A-2153[‡]. Income from university projects as
 10 defined and described in section [‡]304A-2167.5[‡] and sections
 11 [‡]304A-2671[‡] to [‡]304A-2684[‡], may be credited to special
 12 or other funds."

13 SECTION 10. Section 304A-2005, Hawaii Revised Statutes, is
 14 amended to read as follows:

15 "[‡]§304A-2005[‡] **Special and revolving funds; management.**

16 In managing special and revolving funds under its control,
 17 except for the Aloha stadium special fund, the board of regents
 18 shall ensure that:

- 19 (1) The purposes for which special and revolving funds are
- 20 expended, encumbered, or transferred benefit those
- 21 upon whom fees and charges are imposed through these
- 22 funds; and



1 (2) Fees and charges are fair and equitable with respect
2 to the level and quality of services provided to those
3 upon whom fees and charges are imposed."

4 SECTION 11. Section 304A-2006, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[+]§304A-2006[+] **Special and revolving funds; fees and**
7 **charges; public meetings exemption.** [~~+~~] Except as otherwise
8 provided under section 304A-G, in establishing or amending fees
9 or charges that generate receipts for deposit into any
10 University of Hawaii special or revolving fund, the board of
11 regents shall be exempted from the public notice, public
12 hearing, and gubernatorial approval requirements of chapter 91.
13 The fees and charges may be established at an open meeting
14 subject to the requirements of chapter 92. These fees and
15 charges may include laboratory fees, special instructional fees,
16 fees for admission to events, rental rates for facilities,
17 equipment, or real property, and services provided to other
18 government agencies and to the public."

19 SECTION 12. Section 304A-2101, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:

21 "(a) The general fund budget appropriations for the
22 university shall be an amount not less than three times and not



1 greater than five times the amount of regular tuition and
2 related fee revenues estimated for that fiscal year[~~-~~]; provided
3 that general fund appropriations for the payment of debt service
4 on bonds issued for capital improvement projects for Aloha
5 stadium shall be excluded when calculating compliance with the
6 required minimum and maximum general fund budget appropriations
7 for the university."

8 SECTION 13. Section 304A-2671, Hawaii Revised Statutes, is
9 amended by amending the definition of "university project" to
10 read as follows:

11 ""University project" means any undertaking or improvement
12 that is constructed or maintained by the university in
13 furtherance of a university purpose. A university project
14 includes[~~-~~] but is not limited to[~~-~~] land, fixtures,
15 appurtenances, improvements, utilities, equipment, and
16 furnishings necessary or convenient for the use and occupancy of
17 a university project for the purposes for which it was
18 constructed or is used. A university project shall not include
19 Aloha stadium."

20 SECTION 14. Section 445-112, Hawaii Revised Statutes, is
21 amended to read as follows:



1 **"§445-112 Where and when permitted.** No person shall
2 erect, maintain, or use a billboard or display any outdoor
3 advertising device, except as provided in this section:

4 (1) The display of official notices and signs, posted by
5 order of any court or public office, or posted by any
6 public officer in the performance of a public duty, or
7 posted by any person required to do so by any law or
8 rule having the force of law;

9 (2) Any outdoor advertising device announcing a meeting or
10 series of meetings is not prohibited by this section
11 if displayed on the premises where the meeting or
12 series of meetings will be or is being held.

13 ~~[Meeting,]~~ "Meeting" as used in this section, includes
14 all meetings regardless of whether open to the public
15 or conducted for profit and includes but is not
16 limited to sports events, conventions, fairs, rallies,
17 plays, lectures, concerts, motion pictures, dances,
18 and religious services;

19 (3) Any outdoor advertising device indicating that the
20 building or premises on which it is displayed is the
21 residence, office, or place of business, commercial or
22 otherwise, of any individual, partnership, joint



- 1 venture, association, club, or corporation, and
2 stating the nature of the business;
- 3 (4) Any outdoor advertising device that advertises
4 property or services that may be bought, rented, sold,
5 or otherwise traded in on the premises or in the
6 building on which the outdoor advertising device is
7 displayed;
- 8 (5) The offering for sale of merchandise bearing
9 incidental advertising, including books, magazines,
10 and newspapers, in any store, newsstand, vending
11 machine, rack, or other place where such merchandise
12 is regularly sold;
- 13 (6) Any outdoor advertising device offering any land,
14 building, or part of a building for sale or rent, if
15 displayed on the property so offered or on the
16 building so offered;
- 17 (7) Any outdoor advertising device carried by persons or
18 placed upon vehicles used for the transportation of
19 persons or goods, except as provided under section
20 445-112.5, relating to vehicular advertising devices;
- 21 (8) Any outdoor advertising device warning the public of
22 dangerous conditions that they may encounter in nearby



1 sections of streets, roads, paths, public places,
2 power lines, gas and water mains, or other public
3 utilities;

4 (9) Signs serving no commercial purpose that indicate
5 places of natural beauty, or of historical or cultural
6 interest and that are made according to designs
7 approved by the department of business, economic
8 development, and tourism;

9 (10) Any outdoor advertising device or billboard erected,
10 placed, or maintained upon a state office building, if
11 erected, placed, or maintained by authority of a state
12 agency, department, or officer for the sole purpose of
13 announcing cultural or educational events within the
14 [~~State,~~] state, and if the design and location thereof
15 has been approved by the department of business,
16 economic development, and tourism;

17 (11) Signs urging voters to vote for or against any person
18 or issue, may be erected, maintained, and used, except
19 where contrary to or prohibited by law;

20 (12) Signs stating that a residence that is offered for
21 sale, lease, or rent is open for inspection at the
22 actual time the sign is displayed and showing the



1 route to the residence; provided that the sign
2 contains no words or designs other than the words
3 "Open House", the address of the residence, the name
4 of the person or agency responsible for the sale, and
5 an arrow or other directional symbol and is removed
6 during such time as the residence is not open for
7 inspection;

8 (13) The erection, maintenance, and use of billboards if
9 the billboard is used solely for outdoor advertising
10 devices not prohibited by this section;

11 (14) The continued display and maintenance of outdoor
12 advertising devices actually displayed on
13 July 8, 1965, in accordance with all laws and
14 ordinances immediately theretofore in effect;

15 (15) The continued maintenance of any billboard actually
16 maintained on July 8, 1965, and the display thereon of
17 the same or new advertising devices, all in accordance
18 with all laws and ordinances in effect immediately
19 prior to July 9, 1965;

20 (16) Any outdoor advertising device displayed with the
21 authorization of the University of Hawaii on any
22 scoreboard of any stadium [~~owned by the~~] on a



1 university~~[]~~ campus. An outdoor advertising device
2 displayed under this paragraph shall be on the front
3 of the scoreboard and face the interior of the
4 stadium;

5 (17) Any temporary outdoor advertising device attached to
6 or supported by the structure of any stadium [~~owned by~~
7 ~~the~~] on a University of Hawaii~~[]~~ campus, located
8 within and facing the interior of the stadium, and
9 authorized to be displayed by the university. For the
10 purpose of this paragraph, "temporary" means displayed
11 for a short period before the official start of
12 organized athletic competition, during the organized
13 athletic competition, and for a short period after the
14 official end of the organized athletic competition;
15 and

16 (18) Any outdoor advertising device displayed with the
17 authorization of the University of Hawaii stadium
18 [~~authority~~] corporation on any scoreboard of any
19 stadium operated by the [~~stadium authority~~.]
20 University of Hawaii stadium corporation. An outdoor
21 advertising device displayed under this paragraph



1 shall be on the front of the scoreboard and face the
2 interior of the stadium."

3 SECTION 15. Chapter 109, Hawaii Revised Statutes, is
4 repealed.

5 SECTION 16. On July 1, 2008, all rights and title to the
6 real property comprising Aloha stadium shall be transferred to
7 the University of Hawaii stadium corporation from the stadium
8 authority.

9 SECTION 17. All moneys in the stadium special fund on June
10 30, 2008, shall be transferred to the Aloha stadium special fund
11 created under section 304A-F, Hawaii Revised Statutes, on July
12 1, 2008.

13 All accounts payable to and accrued liabilities of the
14 stadium authority on June 30, 2008, shall be transferred to the
15 University of Hawaii stadium corporation on July 1, 2008.

16 All contracts and other agreements executed or entered into
17 by or on behalf of the stadium authority in effect on June 30,
18 2008, shall be assigned to the University of Hawaii stadium
19 corporation on July 1, 2008, and shall remain in full force and
20 effect. Effective July 1, 2008, every reference to the stadium
21 authority therein shall be construed as a reference to the
22 University of Hawaii stadium corporation.



1 SECTION 18. All judicial and administrative actions
2 involving the stadium authority that are pending on June 30,
3 2008, shall be transferred to the department of accounting and
4 general services on July 1, 2008.

5 SECTION 19. All rules, policies, procedures, guidelines,
6 and other material adopted or developed by the stadium authority
7 to implement provisions of the Hawaii Revised Statutes which are
8 reenacted or made applicable to the University of Hawaii stadium
9 corporation by this Act, shall remain in full force and effect
10 until amended or repealed by the University of Hawaii stadium
11 corporation pursuant to chapter 91, Hawaii Revised Statutes. In
12 the interim, every reference to the stadium authority in those
13 rules, policies, procedures, guidelines, and other material
14 shall be construed as a reference to the University of Hawaii
15 stadium corporation.

16 SECTION 20. Effective July 1, 2008, all rights, powers,
17 functions, and duties of the stadium authority are transferred
18 to the University of Hawaii stadium corporation. All employees
19 holding civil service status whose functions are transferred by
20 this Act shall be transferred with their functions and acquire
21 permanent civil service status for purposes of chapter 76,
22 Hawaii Revised Statutes, and shall continue to perform their



1 regular duties upon their transfer, without the necessity of
2 examination, and without loss of salary, seniority, prior
3 service credit, vacation leave, sick leave, or other employee
4 benefits or privileges, subject to the state personnel laws and
5 this Act; provided that subsequent changes in status may be made
6 pursuant to applicable civil service and compensation laws.

7 There are established permanent full-time equivalent
8 positions in the University of Hawaii stadium corporation to
9 carry out the purposes of this Act.

10 If a position held by any employee having permanent civil
11 service status or membership is affected by workload changes or
12 is abolished, such employee shall remain in the employment of
13 the State in accordance with the civil service law, the
14 applicable bargaining unit contract, or the state personnel
15 rules and regulations, whichever is applicable.

16 Any employee who was exempt from civil service prior to the
17 effective date of this Act, who may be transferred as a
18 consequence of this Act shall not suffer any loss of prior
19 service credit, vacation leave, sick leave, or other employee
20 benefits or privileges as a consequence of this Act.

21 SECTION 21. All appropriations, records, equipment,
22 machines, files, supplies, contracts, books, papers, documents,



1 maps, and other personal property heretofore made, used,
2 acquired, or held by the stadium authority relating to the
3 functions transferred to the University of Hawaii stadium
4 corporation shall be transferred with the functions to which
5 they relate.

6 SECTION 22. In codifying the new sections added by section
7 2 of this Act, the revisor of statutes shall substitute
8 appropriate section numbers for the letters used in designating
9 the new sections in this Act.

10 SECTION 23. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 24. This Act shall take effect on July 1, 2020;
13 provided that the amendments made to section 89-6(g), Hawaii
14 Revised Statutes, by section 7 of this Act shall not be repealed
15 when section 89-6(g), Hawaii Revised Statutes, is repealed and
16 reenacted pursuant to Act 245, Session Laws of Hawaii 2005, as
17 amended by Act 294, Session Laws of Hawaii 2007.



Report Title:

UH Stadium Corporation; Transfer of Aloha Stadium

Description:

Creates the University of Hawaii stadium corporation and transfers jurisdiction over Aloha Stadium to the corporation.
(HB2429 HD1)

