
A BILL FOR AN ACT

RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION.

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

1 SECTION 1. The legislature finds that under section 266-1,
2 Hawaii Revised Statutes, all commercial harbors in the state are
3 under the care and control of the department of transportation.
4 The harbors division of the department of transportation is
5 mandated with the responsibility of maintaining efficient and
6 adequate harbor facilities for the movement of goods in and out
7 of the commercial harbors, an enormous responsibility in light
8 of the state's insular isolation.

9 However, with its primary responsibility of the daily
10 management and operation of the commercial harbors, the harbors
11 division has not been able to keep up with the continuing
12 demands for further improvements and development of additional
13 desperately needed harbor facilities. These needs are
14 exacerbated by the rapidly growing populations and economies on
15 each of our major islands, the overnight tripling in cruise ship
16 operations, the soon-to-be operating superferry, and the
17 increased needs for security at our nation's ports. The foreign
18 container yard at Honolulu harbor is nearing capacity. The



1 container operations at Sand island are spilling over across the
2 harbor channel to the Kapalama terminals, and the Kahului harbor
3 that is at near-capacity is attempting to shoehorn in the
4 superferry operations.

5 In order to undertake the necessary planning and
6 development in an expedited manner that is required to maintain
7 the commercial harbors throughout the state as efficient and
8 secure facilities serving Hawaii's needs, the harbors division
9 requires the assistance of the Aloha Tower development
10 corporation. The Aloha Tower development corporation is a
11 public body corporate and politic that is empowered to develop,
12 construct, improve, or repair any project. It was established
13 with a development-oriented mission and the expertise to develop
14 harbor infrastructure and facilities. Its past experiences with
15 partnerships with private entities for the development of
16 harbor-related facilities makes it uniquely capable of assisting
17 the harbors division with its enormous task of updating and
18 improving harbor infrastructure and facilities.

19 SECTION 2. Chapter 206J, Hawaii Revised Statutes is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§206J- Projects with department of transportation. (a)

2 Consistent with its general powers under this chapter, the
3 development corporation may undertake projects for commercial
4 harbors, as that term is defined in section 266-1, under the
5 control or jurisdiction of the department of transportation.
6 Notwithstanding any provision in section 206J-17 to the
7 contrary, moneys or charges received by the development
8 corporation for its administrative and operational expenses
9 shall be reimbursed by the department of transportation and
10 deposited into the Aloha Tower fund in a subaccount designated
11 for the particular development project.

12 (b) Authorization for funding and participation of the
13 development corporation in projects under this section and
14 additional position authorizations within the development
15 corporation for the projects shall be subject to legislative
16 approval by Act on a project-by-project basis. The approval
17 shall include the addition of a new part to this chapter for
18 each project undertaken under this section, bearing the title of
19 the development project and setting forth the terms, conditions,
20 and any other limitations on the participation of the
21 development corporation that the legislature may enact.



1 (c) If the legislature approves a commercial harbors
2 project to be developed by the development corporation, all
3 appropriations for the project shall be received and
4 administered through the department of transportation. The
5 department of transportation shall retain fiscal management and
6 oversight of all project cost expenditures, budget, and contract
7 approvals.

8 (d) Subject to existing contractual and statutory
9 commitments to the department of transportation for any losses
10 in revenue under this chapter, the development corporation shall
11 apply any revenues derived from commercial development projects
12 in the area seaward of Nimitz highway between pier 4 and the
13 Honolulu international airport to defray the cost of harbor
14 infrastructure improvements incurred within the state."

15 SECTION 3. New statutory material is underscored.

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



Report Title:

Harbors; Aloha Tower Development Corporation

Description:

Allows the aloha tower development corporation to undertake projects for commercial harbors under the jurisdiction of department of transportation. (HB250 HD1)

