

JAN 27 2010

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. Section 206E-3, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) The authority shall consist of [~~thirteen~~] nine voting
4 members. The director of finance, the director of business,
5 economic development, and tourism, the comptroller, and the
6 director of transportation, or their respective designated
7 representatives shall serve as ex officio, [~~voting~~] nonvoting
8 members. [~~One member~~] Two members shall be appointed by the
9 governor from a list of not less than three prospective
10 appointees submitted by the president of the senate, and [~~one~~
11 ~~member~~] two members shall be appointed by the governor from a
12 list of not less than three prospective appointees submitted by
13 the speaker of the house of representatives. [~~Seven~~] Five
14 members shall be appointed by the governor for staggered terms
15 pursuant to section 26-34; provided that [~~four~~] two members
16 shall be appointed at large and, initially, three members,
17 hereinafter referred to as county members, shall be selected
18 from a list of [~~ten~~] five prospective appointees recommended by



1 the local governing body of the county in which the initial
2 designated district is situated; and provided further that when
3 vacancies occur in any of the three positions for which the
4 members were selected from a list of county recommendations, the
5 governor shall fill [~~sueh~~] the vacancies on the basis of one
6 from a list of [~~four~~] two recommendations, two from a list of
7 [~~seven~~] three recommendations, or three from a list of [~~ten~~]
8 five recommendations. The list of recommendations shall be made
9 by the local governing body of the county. Of the nine members
10 appointed either by the governor from the lists provided by the
11 president of the senate and speaker of the house, at-large by
12 the governor, or as county members recommended by the local
13 governing body of the county in which the initial designated
14 district is situated, at least two members shall represent small
15 businesses and shall be designated as the small business
16 representatives on the board whose purpose, among other things,
17 is to vote on matters before the board that affect small
18 businesses. The small business representatives shall be owners
19 or active managers of a small business with its principal place
20 of operation located within the physical boundaries of the
21 initial designated district. Notwithstanding section 84-14(a),
22 the small business representatives shall not be prohibited from



1 voting on any matter concerning any district under the board's
2 jurisdiction; provided that the matter is not limited to solely
3 benefiting the specific interest of that member and the matter
4 concerns broader interests within the district. If an
5 additional district is designated by the legislature, the total
6 membership of the authority shall be increased as prescribed
7 above by the appointment of three additional members, except as
8 provided for in section 206E-191. Notwithstanding section
9 92-15, a majority of all members shall constitute a quorum to do
10 business, and the concurrence of a majority of all voting
11 members shall be necessary to make any action of the authority
12 valid; except that, on any matter relating solely to a specific
13 community development district, the members representing
14 districts other than that specific community development
15 district shall neither vote, nor shall they be counted to
16 constitute a quorum, and concurrence shall be required of a
17 majority of that portion of the authority made up of all
18 [~~ex officio voting members,~~] members at large[~~7~~] and county and
19 district members representing the district for which action is
20 being proposed for [~~such~~] the action to be valid. All members
21 shall continue in office until their respective successors have
22 been appointed and qualified. Except as herein provided, no



1 member appointed under this subsection shall be an officer or
2 employee of the State or its political subdivisions.

3 For [] purposes [] of this section, "small business" means
4 a business which is independently owned and which is not
5 dominant in its field of operation."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2010.
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Report Title:

Hawaii Community Development Authority; Members

Description:

Amends how the members of the Hawaii community development authority are selected and reduces the number of voting members from thirteen to nine by making all ex officio members nonvoting.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

