
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. Chapter 206E, Hawaii Revised Statutes, is
2 amended by adding a new section to part VII to be appropriately
3 designated and to read as follows:

4 "§206E- Kalaeloa community development district;
5 representation to the Hawaii community development authority.

6 (a) Five voting members shall be appointed to the authority by
7 the governor to represent the Kalaeloa community development
8 district. Members appointed pursuant to this section shall be
9 considered in determining quorum and majority only for issues
10 relating to the Kalaeloa community development district, and
11 shall vote only on issues relating to the Kalaeloa community
12 development district.

13 (b) Members appointed pursuant to this section shall be
14 exempt from the requirements of section 26-34 and shall be:

15 (1) The chairperson of the Hawaiian homes commission, or
16 the chairperson's designee;



- 1 (2) The director of the city and county of Honolulu
2 department of planning and permitting, or the
3 director's designee;
- 4 (3) One member who is determined by the authority to be a
5 Hawaiian cultural specialist because the member
6 possesses substantial experience, expertise, or
7 knowledge of traditional Hawaiian customs and
8 practices; and
- 9 (4) Two members, each of whom shall be a resident of the
10 Kalaeloa community development district, the Ewa zone
11 (zone 9, sections 1 through 2), or the Waianae zone
12 (zone 8, sections 1 through 9) of the first tax map
13 key division; provided that one member appointed
14 pursuant to this paragraph shall be appointed from a
15 list of not fewer than three prospective appointees
16 submitted by the mayor of the city and county of
17 Honolulu.

18 The term of members appointed pursuant to paragraphs (1)
19 and (2) shall be the entire period that those individuals meet
20 the qualifications established by this subsection. The term of
21 members appointed pursuant to paragraphs (3) and (4) shall be
22 for four years, to commence on July 1 and to expire on June 30;

1 provided that the governor may reduce the terms of those
2 initially appointed so as to provide, as nearly as can be, for
3 the expiration of an equal number of terms at intervals of two
4 years. No person appointed pursuant to paragraph (4) shall be
5 appointed to more than two consecutive terms or serve as a
6 member of the authority for more than eight consecutive years.

7 (c) Any member appointed pursuant to this section whose
8 term has expired and who is not disqualified for membership
9 under subsection (b) may continue in office as a holdover member
10 until a successor is appointed; provided that a holdover member
11 shall not hold office beyond the end of the second regular
12 legislative session following the expiration of the member's
13 term of office.

14 (d) A vacancy in a membership authorized by this section
15 shall be filled in the same manner as the original appointment
16 as specified in subsection (b); provided that the vacancy shall
17 be filled with a person who meets the same qualifications as the
18 vacating member.

19 (e) The governor may remove or suspend for cause any
20 member appointed pursuant to this section after due notice and
21 public hearing."



1 SECTION 2. 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 voting
4 members. The director of finance~~[7]~~i; the director of business,
5 economic development, and tourism~~[7]~~i; the comptroller~~[7]~~i; and
6 the director of transportation, or their respective designated
7 representatives~~,~~, shall serve as ex officio, voting members. One
8 member shall be appointed by the governor from a list of not
9 ~~[less]~~ fewer than three prospective appointees submitted by the
10 president of the senate~~[7]~~ and one member shall be appointed by
11 the governor from a list of not ~~[less]~~ fewer than three
12 prospective appointees submitted by the speaker of the house of
13 representatives. Seven members shall be appointed by the
14 governor for staggered terms pursuant to section 26-34~~[7]~~
15 ~~provided that four]~~. Four of these seven members shall be
16 appointed at large and, initially, three members, hereinafter
17 referred to as county members, shall be selected from a list of
18 ten prospective appointees recommended by the local governing
19 body of the county in which the initial designated district is
20 situated~~[7; and provided further that when vacancies occur]~~.
21 Each time a vacancy occurs in any of the three county members'
22 ~~positions [for which the members were selected from a list of~~



1 ~~county recommendations], the governor shall fill [such vacancies~~
2 ~~on the basis of one from a list of four recommendations, two~~
3 ~~from a list of seven recommendations, or three from a list of~~
4 ~~ten recommendations. The list of recommendations shall be made~~
5 ~~by the local governing body of the county.] each vacancy as~~
6 follows:

7 (1) A singly occurring vacancy shall be filled from a list
8 of four nominees submitted by the local governing body
9 of the county in which the initial designated district
10 is situated;

11 (2) Two co-occurring vacancies shall be filled from a list
12 of seven nominees submitted by the local governing
13 body of the county in which the initial designated
14 district is situated; and

15 (3) Three co-occurring vacancies shall be filled from a
16 list of ten nominees submitted by the local governing
17 body of the county in which the initial designated
18 district is situated.

19 Of the nine ~~[members appointed either by the governor from the~~
20 ~~lists provided by the president of the senate and speaker of the~~
21 ~~house, at large by the governor, or as county members~~
22 ~~recommended by the local governing body of the county in which~~



1 ~~the initial designated district is situated,~~] appointed members
2 of the authority, at least two members shall represent small
3 businesses and shall be designated as the small business
4 representatives on the [~~board whose~~] authority. The purpose[~~]~~
5 of the small business representatives, among other things, is to
6 vote on matters before the [~~board~~] authority that affect small
7 businesses. [~~The~~] Each small business [~~representatives~~]
8 representative shall be [~~owners~~] an owner or active [~~managers~~]
9 manager of a small business with its principal place of
10 operation located within the physical boundaries of the initial
11 designated district. Notwithstanding section 84-14(a), the
12 small business representatives shall not be prohibited from
13 voting on any matter concerning any district under the board's
14 jurisdiction; provided that the matter is not limited to solely
15 benefiting the specific interest of that member; and provided
16 further that the matter concerns broader interests within the
17 district. If an additional district is designated by the
18 legislature, the total membership of the authority shall be
19 increased [~~as prescribed above~~] by the appointment of three
20 additional members[~~]~~ according to the process described above
21 except as provided [~~for~~] in section [~~206E-191.~~] 206E- .
22 Notwithstanding section 92-15, a majority of all members shall



1 constitute a quorum to do business, and the concurrence of a
2 majority of all members shall be necessary to make any action of
3 the authority valid; except that, on any matter relating solely
4 to a specific community development district, the members
5 representing districts other than that specific community
6 development district shall neither vote, nor shall they be
7 counted to constitute a quorum, and concurrence shall be
8 required of a majority of that portion of the authority made up
9 of all ex officio voting members, members at large, and county
10 and district members representing the district for which action
11 is being proposed for such action to be valid. All members
12 shall continue in office until their respective successors have
13 been appointed and qualified. Except as [~~herein~~] provided[7] in
14 this section for ex-officio members, no member appointed under
15 this subsection shall be an officer or employee of the State or
16 its political subdivisions.

17 For [†]purposes[†] of this section, "small business" means
18 a business which is independently owned and which is not
19 dominant in its field of operation."

20 SECTION 3. Section 206E-191, Hawaii Revised Statutes, is
21 amended to read as follows:



1 " [f]§206E-191[f] Barbers Point Naval Air Station
2 redevelopment; power to redevelop established. (a) The Hawaii
3 community development authority shall be the designated agency
4 of the State to implement this part.

5 (b) The authority shall act as the local redevelopment
6 authority to facilitate the redevelopment of Barbers Point Naval
7 Air Station in accordance with the Barbers Point Naval Air
8 Station community reuse plan. In addition to any other duties
9 that the authority may have pursuant to this chapter, the
10 authority's duties shall include but not be limited to:

- 11 (1) Coordinating with the Navy and other entities during
12 the conveyance of properties and conducting
13 remediation activities for the Barbers Point Naval Air
14 Station community reuse plan;
- 15 (2) Assisting landholders designated by the plan to market
16 their properties and process conveyance requests;
- 17 (3) Working with the Navy and others to ensure that
18 infrastructure support is provided to the existing
19 developed area, referred to as the [u]downtown
20 area[u], and other federally retained areas;



1 (4) Developing the infrastructure necessary to support the
2 implementation of the Barbers Point Naval Air Station
3 community reuse plan; and

4 (5) Providing, to the extent feasible, maximum opportunity
5 for the reuse of surplus property by private
6 enterprise or state and county government.

7 ~~[(c) Five additional voting members shall, except as~~
8 ~~otherwise provided in this subsection, be appointed to the~~
9 ~~authority by the governor to represent the Kalaeloa community~~
10 ~~development district. These members shall be considered in~~
11 ~~determining quorum and majority only on issues relating to the~~
12 ~~Kalaeloa community development district, and may vote only on~~
13 ~~issues relating to the Kalaeloa community development district.~~
14 ~~These members shall consist of:~~

15 ~~(1) The chairperson of the Hawaiian homes commission;~~

16 ~~(2) The director of the city and county of Honolulu~~
17 ~~department of planning and permitting;~~

18 ~~(3) Two members representing the surrounding community for~~
19 ~~a term pursuant to section 26-34, one of which shall~~
20 ~~be selected by the mayor of the city and county of~~
21 ~~Honolulu; and~~

22 ~~(4) One member who is a Hawaiian cultural specialist.]"~~



1 SECTION 4. The residency requirements established by
2 section 1 of this Act for representatives of the Kalaeloa
3 community development district appointed to the Hawaii community
4 development authority shall be applicable immediately upon the
5 effective date of this Act. Any person serving a current and
6 unexpired term pursuant to section 206E-191, Hawaii Revised
7 Statutes, who does not meet the requirements of paragraph
8 206E- (b) (4), Hawaii Revised Statutes, as established by this
9 Act, shall be ineligible to serve on the Hawaii community
10 development authority as of the effective date of this Act and
11 shall be replaced by a successor appointed pursuant to section
12 206E- , Hawaii Revised Statutes, as soon as practicable,
13 notwithstanding the commencement date of July 1 that would
14 otherwise be applicable. Notwithstanding sections 206E-3(b) and
15 206E- (c), Hawaii Revised Statutes, a member who is rendered
16 ineligible to serve pursuant to this measure shall not continue
17 in office until the member's successor has been appointed.

18 SECTION 5. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Hawaii Community Development Authority; Kalaeloa Community
Development District

Description:

Clarifies residency requirements for community representatives
of the Kalaeloa Community Development District to the Hawaii
Community Development Authority. Makes conforming amendments.
(HB2339 HD2)

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

