

JAN 16 2014

S.B. NO. 2132

A BILL FOR AN ACT

RELATING TO THE BANYAN DRIVE COMMUNITY.

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

1 SECTION 1. The Banyan drive area of the island of Hawaii
2 contains about eighty-five per cent of the overnight visitor
3 accommodations in east Hawaii. Since the State owns virtually
4 all of the land in this area, the legislature finds that the
5 State has a responsibility to ensure that the Banyan drive area
6 does not deteriorate and have a harmful impact on the economy of
7 its surrounding community.

8 The purpose of this Act is to establish the Banyan drive
9 community development board to advise the department of land and
10 natural resources on the restoration and management of the
11 Banyan drive area.

12 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
13 amended by adding a new part to be appropriately designated and
14 to read as follows:

15 **"PART . BANYAN DRIVE COMMUNITY DEVELOPMENT BOARD**

16 **§171- Banyan drive community development board. (a)**

17 There is established a Banyan drive community development board,



1 which shall be attached to the department of land and natural
2 resources for administrative purposes.

3 (b) The board shall be a policy-making board and shall
4 advise the department on issues regarding the restoration and
5 management of the Banyan drive area of Hilo on Hawaii island.
6 The board shall be responsible for the development of
7 recommendations regarding community development policies,
8 restoration guidelines, and management guidelines for the Banyan
9 drive area of Hilo on Hawaii island.

10 (c) The board shall consist of nine members as follows:

11 (1) The chairperson of the board of directors of the
12 Hawaii tourism authority, or the chairperson's
13 designated representative, who shall be an ex officio,
14 voting member;

15 (2) The director of business, economic development, and
16 tourism, or the director's designated representative,
17 who shall be an ex officio, voting member;

18 (3) The chairperson of the board of land and natural
19 resources, or the chairperson's designated
20 representative, who shall be an ex officio, voting
21 member;



1 (4) The director of planning of the county of Hawaii, or
2 the director's designated representative, who shall be
3 an ex officio, voting member; and

4 (5) Five public, voting members appointed by the governor
5 pursuant to section 26-34 from a list of ten names
6 submitted for appointment by the mayor of the county
7 of Hawaii; provided that after the initial
8 appointment, if a vacancy occurs in any public, voting
9 position for which the member was selected from a list
10 of recommendations submitted by the mayor, the
11 governor shall fill the vacancy from a list of three
12 recommendations made by the mayor of the county of
13 Hawaii. The five public, voting members shall be
14 residents of east Hawaii and shall be selected on the
15 basis of their knowledge, experience, and expertise in
16 visitor industry management, small and large
17 businesses, economics, banking, real estate, finance,
18 marketing, and management; provided further that at
19 least one member shall be an owner or active manager
20 of a business located at or near Banyan drive.

21 (d) The board shall elect its chairperson from among its
22 public, voting members.



1 (e) The members of the board shall serve without
2 compensation but shall be reimbursed for expenses, including
3 travel expenses, incurred in the performance of their duties.

4 (f) The department of land and natural resources shall
5 appoint staff as necessary to support the functions of the
6 board. All staff shall be exempt from chapter 76.

7 (g) The board shall be dissolved on July 1, 2020.

8 **§171- Powers and duties of the board; generally.**

9 Notwithstanding any provision of this chapter to the contrary,
10 the Banyan drive community development board may:

11 (1) Recommend to the appropriate authorities cost-
12 effective mechanisms, legislation, and policies to
13 prevent deterioration of existing facilities in the
14 Banyan drive area;

15 (2) Provide leadership for the development and enhancement
16 of the area to result in a community which permits an
17 appropriate land mixture of hotel and resort,
18 commercial, residential, and public uses;

19 (3) Provide estimates of fiscal impact and financing
20 options for different development opportunities;

21 (4) Determine underutilization patterns in the area and
22 identify potential opportunities for redevelopment;



- 1 (5) Participate and cooperate in planning processes or
2 infrastructure projects undertaken by the county that
3 impact the area and adjacent or associated lands;
- 4 (6) Participate in the planning of an improvement program
5 for necessary public facilities within the area to
6 support the redevelopment policies established by the
7 board pursuant to this part;
- 8 (7) Identify public lands that may be suitable for
9 development, including through market analysis to
10 determine the best revenue generating programs for the
11 public lands;
- 12 (8) Prepare or cause to be prepared recommendations for a
13 development plan for the area;
- 14 (9) Engage in planning and recommending design guidelines
15 relating to infrastructure development and other
16 activities necessary to carry out the redevelopment of
17 the area;
- 18 (10) Conduct studies in conjunction with county and state
19 agencies necessary to determine the appropriate
20 activities for development in the area; and
- 21 (11) Assist with coordination of land use and redevelopment
22 activities within the area, to the extent possible, to



1 complement existing county and state policies, plans,
2 and programs.

3 §171- Annual report to the legislature. The Banyan
4 drive community development board shall submit an annual report
5 of its activities and proposals for recommended legislation to
6 the legislature no later than twenty days prior to the convening
7 of each regular session."

8 SECTION 3. This Act shall take effect upon its approval
9 and shall be repealed on July 1, 2020.

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S.B. NO. 2132

Report Title:

Banyan Drive; DLNR; Community Development Board

Description:

Establishes the Banyan drive community development board to advise the DLNR on the redevelopment and maintenance of Banyan Drive in Hilo on Hawaii island.

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

