
A BILL FOR AN ACT

RELATING TO TRANSIT ORIENTED DEVELOPMENT.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE AUTHORITY

6 § -1 Definitions. As used in this chapter, unless the
7 context otherwise requires:

8 "Authority" means the transit oriented development
9 infrastructure authority established by section -2.

10 "Corridor" means any state property within one-quarter mile
11 from any rail station construction that is part of the high-
12 capacity transit corridor project in the city and county of
13 Honolulu.

14 "Department" means the department of business, economic
15 development, and tourism.

16 § -2 Transit oriented development infrastructure
17 authority; established. (a) There is established the transit



1 oriented development infrastructure authority to oversee and
2 manage the development of infrastructure at transit-oriented
3 development locations that are owned by the State. The
4 authority shall be placed within the department of business,
5 economic development, and tourism for administrative purposes.

6 (b) The authority shall consist of the following members:

7 (1) The director of finance or the director's designee;

8 (2) The director of transportation or the director's
9 designee;

10 (3) The director of the office of planning or the
11 director's designee;

12 (4) A cultural specialist;

13 (5) An at-large member nominated by the senate president;

14 (6) An at-large member nominated by the speaker of the
15 house; and

16 (7) The director of planning and permitting of the city
17 and county of Honolulu or the director's designee, who
18 shall serve in an ex officio, nonvoting capacity.

19 All members except the director of finance, director of
20 transportation, director of the office of planning, and county
21 director of planning and permitting or their designees shall be



1 appointed by the governor pursuant to section 26-34. The two
2 at-large members nominated by the senate president and speaker
3 of the house shall each be appointed by the governor from a list
4 of three nominees submitted for each position by the nominating
5 authority specified in this subsection.

6 In the event of a vacancy, a member shall be appointed to
7 fill the vacancy, in the same manner as the original
8 appointment, within thirty days of the vacancy or within ten
9 days of the senate's rejection, on advice and consent, of a
10 previous appointment to fill that vacancy, as applicable.

11 The terms of the director of finance, director of
12 transportation, director of the office of planning, and county
13 director of planning and permitting, or their respective
14 designees, shall run concurrently with each official's term of
15 office. The terms of the appointed voting members shall be for
16 four years, commencing on July 1 and expiring on June 30. The
17 governor shall provide for staggered terms of the initially
18 appointed voting members so that the initial term of one member
19 selected by lot shall be for two years, the initial term of one
20 member selected by lot shall be for three years, and the initial
21 term of the remaining member shall be for four years.



1 The governor may remove or suspend for cause any member
2 after due notice and public hearing.

3 Notwithstanding section 92-15 to the contrary, a majority
4 of all eligible voting members as specified in this subsection
5 shall constitute a quorum to do business, and the concurrence of
6 a majority of all eligible voting members as specified in this
7 subsection shall be necessary to make any action of the
8 authority valid. All members shall continue in office until
9 their respective successors have been appointed and qualified.
10 Except as herein provided, no member appointed under this
11 subsection shall be an officer or employee of the State or its
12 political subdivisions.

13 (c) The authority shall annually elect a chairperson and
14 vice chairperson from among its members.

15 (d) The members of the authority appointed under
16 subsection (b) shall serve without compensation, but each shall
17 be reimbursed for expenses, including travel expenses, incurred
18 in the performance of their duties.

19 § -3 Transit oriented development infrastructure
20 authority; jurisdiction established. The jurisdiction of the
21 authority shall include all infrastructure development along the



1 corridor, which includes all state property within one-quarter
2 mile from any rail station constructed as part of the high-
3 capacity transit corridor project in the city and county of
4 Honolulu. Any state development along the corridor shall
5 require a memorandum of understanding from the authority.

6 § -4 Transit oriented development infrastructure
7 authority; duties; policies. (a) The authority shall
8 facilitate, oversee, and manage the development of all
9 infrastructure on property belonging to the State within the
10 corridor; provided that development is carried out in accordance
11 with any county transit oriented development plans for lands
12 surrounding the corridor.

13 (b) With the approval of the governor, and in accordance
14 with state law governing lands owned by the department of
15 Hawaiian home lands, the authority, upon the concurrence of a
16 majority of its voting members, may modify and make changes to a
17 transit oriented development plan with respect to the corridor
18 to respond to changing conditions; provided that prior to
19 amending a transit oriented development plan, the authority
20 shall conduct a public hearing to inform the public of the
21 proposed changes and receive public input.



1 (c) The authority may engage in planning, design, and
2 construction activities within and outside the corridor;
3 provided that activities outside the corridor shall relate to
4 infrastructure development.

5 (d) The authority may undertake studies or coordinate
6 activities in conjunction with the county and appropriate state
7 agencies and may address facility systems, industrial
8 relocation, and other activities necessary for infrastructure
9 development in accordance with this section.

10 (e) In addition to any other duties that the authority may
11 have pursuant to this chapter, the authority, when facilitating
12 the development of infrastructure, shall:

- 13 (1) Preserve and protect Hawaiian archaeological,
14 historic, and cultural sites;
- 15 (2) Preserve endangered species of flora and fauna to the
16 extent feasible; and
- 17 (3) Coordinate infrastructure development with and, to the
18 extent possible, complement existing county and state
19 policies and plans affecting the corridor.

20 § -5 Transit oriented development infrastructure
21 authority special fund. (a) There is established in the state



1 treasury the transit oriented development infrastructure
2 authority special fund, into which shall be deposited:

- 3 (1) per cent of transient accommodations tax
4 revenues collected by the department of taxation under
5 section 237D-6.5, for the taxation district in which
6 the high-capacity transit corridor project is located;
- 7 (2) Appropriations by the legislature; and
- 8 (3) Gifts, donations, and grants from public agencies and
9 private persons.

10 All interest earned or accrued on moneys deposited in the
11 fund shall become part of the fund. The fund shall be
12 administered by the department; provided that the department may
13 contract with a public or private agency to provide the day-to-
14 day management of the fund.

15 (b) Moneys in the special fund shall be used only for the
16 purposes of this chapter, including administrative, personnel,
17 and operational costs of the authority.

18 § -6 Rules. The authority shall adopt rules in
19 accordance with chapter 91 to carry out the purposes of this
20 chapter."



1 SECTION 2. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so much
 3 thereof as may be necessary for fiscal year 2016-2017 to be
 4 deposited into the transit oriented development infrastructure
 5 authority special fund.

6 SECTION 3. There is appropriated out of the transit
 7 oriented development infrastructure authority special fund the
 8 sum of \$ or so much thereof as may be necessary for
 9 fiscal year 2016-2017 for the purposes of this Act.

10 The sum appropriated shall be expended by the department of
 11 business, economic development, and tourism for the purposes of
 12 this Act.

13 SECTION 4. This Act shall not be applied so as to impair
 14 any contract existing as of the effective date of this Act in a
 15 manner violative of either the Hawaii State Constitution or
 16 Article I, section 10, of the United States Constitution.

17 SECTION 5. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

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H.B. NO. 2179

Report Title:

Transit Oriented Development; Authority; Infrastructure;
Appropriation

Description:

Establishes a Transit Oriented Development Authority within the Department of Business, Economic Development, and Tourism to oversee and manage development of infrastructure on state lands within one-quarter mile radius of rail stations.

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

