

STAND. COM. REP. NO.

1904

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 1586
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Energy, Economic Development, and Tourism, Government Operations, and Ways and Means, to which was referred H.B. No. 1586, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE STRUCTURE OF GOVERNMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Hawaii State Energy Office within the Department of Business, Economic Development, and Tourism;
- (2) Establish the position of Deputy Director of Energy;
- (3) Repeal the establishment of the Energy Resources Coordinator position and transfer the duties and responsibilities of the Energy Resources Coordinator, which are currently assigned to the Director of Business, Economic Development, and Tourism, to the Deputy Director of Energy; and
- (4) Amend the allowable uses of the energy security special fund.



Your Committees did not receive any testimony on this measure.

Prior to decision making on this measure, your Committees posted and made available for public review a proposed S.D. 2, which deletes the contents of this measure and inserts the contents of S.B. No. 1530, S.D. 3, with further amendments. Specifically, the proposed S.D. 2:

- (1) Establishes the stadium development district, which includes all state property under the jurisdiction of the stadium authority;
- (2) Transfers title of lands under the jurisdiction of the Stadium Authority to the Hawaii Community Development Authority;
- (3) Authorizes the issuance of general obligation bonds and reimbursable general obligation bonds and appropriates funds;
- (4) Exempts the stadium development district from community development plan requirements;
- (5) Exempts lands to which the Stadium Authority holds title from the definition of "public lands" subject to chapter 171, Hawaii Revised Statutes, but establishes certain restrictions on leases within the stadium development district; and
- (6) Authorizes the Department of Land and Natural Resources to give written concurrence, based on a phased review, on any project in the stadium development district for historical preservation purposes.

Your Committees received testimony in support of the proposed S.D. 2 from the Department of Accounting and General Services, Stadium Authority, University of Hawai'i System, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii. Your Committees received testimony in opposition to the proposed S.D. 2 from the Department of Planning and Permitting of the City and County of Honolulu and League of Women Voters. Your Committees received comments on the proposed S.D. 2 from the



Department of Land and Natural Resources and Hawaii Community Development Authority.

Your Committees find that the redevelopment of lands under the jurisdiction of the Stadium Authority could benefit from the administration of the Hawaii Community Development Authority. Your Committees also find that, as significant public outreach and studies have already occurred, a stadium development district may be formed that is exempt from community development plan requirements. Your Committees seek to ensure continued public participation in this project by requiring decisions regarding the project that may have a significant impact on the community or environment to be made by the Stadium Authority at a public meeting.

Your Committees note that all lands in the stadium development district are state lands over which the State already has oversight. Furthermore, the Stadium Authority is subject to the Sunshine Law and therefore affected communities or interested parties will have an opportunity to be informed about and participate in the process of development of the stadium development district.

Your Committees have amended this measure by adopting the proposed S.D. 2 and further amending the measure by:

- (1) Requiring the Stadium Authority and Hawaii Community Development Authority to execute a memorandum of agreement with appropriate state agencies to effectuate the restrictions and provisions on leases within the stadium development district;
- (2) Clarifying development guidance policies governing the Executive Director of the Hawaii Community Development Authority's actions in the stadium development district to specify that endangered species of flora and fauna shall be preserved as required by state and federal law;
- (3) Deleting language that would have authorized the Department of Land and Natural Resources to give written concurrence, based on a phased review, on any project in the stadium development district for historical preservation purposes;



- (4) Specifying that the disposition of certain lands or any improvements thereon shall be done consistently with the terms, conditions, restrictions, and uses applicable to the disposition of public lands;
- (5) Requiring the legal instrument that transfers the fee simple interest in all land under the control or jurisdiction of the Stadium Authority from the Department of Land and Natural Resources to the Stadium Authority to prohibit the Stadium Authority from relinquishing the State's title to any ceded lands; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Although this measure, as amended, indicates that the disposition of lands exempt from the definition of "public lands" in chapter 171, Hawaii Revised Statutes, or any improvements thereon, shall be done consistently with the terms, conditions, restrictions, and uses applicable to the disposition of public lands, your Committees note its intent is to apply this requirement to only those lands to which the Stadium Authority holds title.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism, Government Operations, and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1586, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1586, H.D. 1, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Energy, Economic
Development, and Tourism,
Government Operations, and Ways
and Means,

Laura H. Thielen

LAURA H. THIELEN, Chair

Glenn Wakai

GLENN WAKAI, Chair

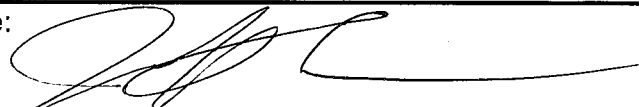
Donovan M. DeLa Cruz

DONOVAN M. DELA CRUZ, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

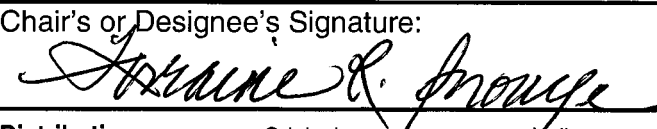
Record of Votes
Committee on Energy, Economic Development, and Tourism
EET

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1586 HD1 8D1	EET/GVO/WAM	4/4/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
INOUE, Lorraine R.	✓			
KEOHOKALOLE, Jarrett	✓			
FEVELLA, Kurt				✓
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

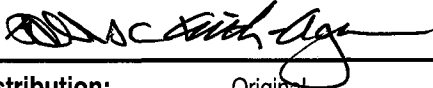
Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* <i>HB1586 HDI SD1</i>	Committee Referral: <i>EET/GVO/WAM</i>	Date: <i>4/4/2019</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
INOUE, Lorraine R. (VC)	✓			
BAKER, Rosalyn H.				✓
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt				✓
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB1586 HDI SDI	Committee Referral: EET/6V0/WAM	Date: 4/4/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.				X
FEVELLA, Kurt				X
TOTAL	8			5
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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