
A BILL FOR AN ACT

RELATING TO THE STADIUM DEVELOPMENT DISTRICT.

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

1 PART I

2 SECTION 1. Chapter 109, Hawaii Revised Statutes, is
3 amended by adding four new sections to be appropriately
4 designated and to read as follows:

5 "§109-A Definition. As used in this chapter, "district"
6 or "stadium development district" means real property held by
7 the stadium authority or land under the jurisdiction of the
8 stadium authority.

9 §109-B Stadium development special fund; established. (a)
10 There is established in the state treasury the stadium
11 development special fund into which shall be deposited:

12 (1) All revenues from the stadium development, including
13 its operations and land agreements;

14 (2) All proceeds from revenue bonds issued by the stadium
15 authority;

16 (3) Appropriations made by the legislature to the fund;
17 and



1 (4) All proceeds from general obligation bonds and
2 reimbursable general obligation bonds issued by the
3 director of finance for the benefit of the stadium
4 authority.

5 (b) Moneys in the stadium development special fund shall
6 be used for expenses of the stadium authority related to repairs
7 to the existing stadium and the development and operations of
8 the stadium property, including recurring contractual
9 availability payments and other recurring contractual payments
10 to developers or contractors engaged by the stadium authority
11 for the purpose of redeveloping the site and related on and off
12 site infrastructure.

13 **§109-C Development guidance policies; established.** (a)

14 The following shall be the general development guidance policies
15 governing the stadium authority's actions in the stadium
16 development district for the purposes specified in section 109-

17 B(b) :

18 (1) Development shall be in accordance with any county
19 transit-oriented development plan unless modified by
20 the authority pursuant to paragraph (2);



1 (2) With the approval of the governor, the authority, upon
2 the concurrence of a majority of its voting members,
3 may modify and make changes to a transit-oriented
4 development plan with respect to the district to
5 respond to changing conditions; provided that before
6 amending a transit-oriented development plan, the
7 authority shall conduct a public hearing to inform the
8 public of the proposed changes and receive public
9 input;

10 (3) The authority shall seek to promote economic
11 development and employment opportunities by fostering
12 diverse land uses and encouraging private sector
13 investments that use the opportunities presented by
14 the rail transit corridor project consistent with the
15 needs of the public, including the development of
16 mixed-use housing and affordable housing;

17 (4) The authority may engage in planning, design, and
18 construction activities, including on-site repairs,
19 within and outside the district; provided that
20 activities outside the district shall relate to
21 infrastructure development, area-wide drainage



1 improvements, roadway realignments and improvements,
2 business and industrial relocation, and other
3 activities that the authority deems necessary to carry
4 out development of the district and implement this
5 chapter;

6 (5) Archaeological, historic, and cultural sites shall be
7 preserved and protected in accordance with chapter 6E;

8 (6) Endangered species of flora and fauna shall be
9 preserved to the extent required by law;

10 (7) Land use and development activities within the
11 district shall be coordinated with and, to the extent
12 possible, complement and support existing county and
13 state policies, plans, and programs affecting the
14 district; and

15 (8) Public facilities within the district shall be
16 planned, located, and developed to support the
17 development guidance policies established by this
18 chapter for the district and any rules adopted
19 pursuant to chapter 91 to implement this chapter.

20 §109-D Annual comprehensive report. No less than twenty
21 days prior to the convening of each regular session of the



1 legislature, the stadium authority shall submit to the
2 legislature an annual comprehensive status report on the
3 progress of development within the stadium development
4 district."

5 SECTION 2. Section 109-2, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§109-2 Stadium authority; powers and duties.** The powers
8 and duties of the stadium authority shall be as follows:

9 (1) To maintain, operate, ~~and~~ manage, and develop or
10 redevelop the stadium ~~and related~~, including
11 repairs; facilities~~+~~ related to the stadium; and
12 real property held by the stadium authority in the
13 stadium development district, either directly or
14 through partnerships or contractual agreements with
15 private third parties or other entities;

16 (2) To acquire and hold title to real property;

17 ~~[(+2)]~~ (3) To prescribe and collect rents, fees, and charges
18 for the use or enjoyment of the stadium ~~or any of~~
19 ~~its~~, facilities~~+~~ related to the stadium, and real
20 property held by the stadium authority, including
21 entering into leases, contracts, or other development



1 and use agreements that may apply; provided that
2 leases shall not exceed a term of ninety-nine years;

3 [~~3~~] (4) To make and execute contracts and other
4 instruments necessary or convenient to exercise its
5 powers under this chapter and subject to any
6 limitations in this chapter, to exercise all powers
7 necessary, incidental, or convenient to carry out and
8 effectuate the purposes and provisions of this
9 chapter;

10 [~~4~~] (5) To adopt, amend, and repeal in accordance with
11 chapter 91 rules it may deem necessary to effectuate
12 this chapter and in connection with its projects,
13 operations, and facilities;

14 [~~5~~] (6) To appoint a manager and [~~a~~] deputy [~~manager~~]
15 managers who shall have qualifications as the
16 authority deems necessary and who shall hold their
17 respective offices at the pleasure of the authority[~~;~~]
18 to manage the stadium development district. The
19 manager and deputy [~~manager~~] managers shall be exempt
20 from the requirements of chapters 76 and 89.

21 Effective July 1, 2005, the manager shall be paid a



1 salary not to exceed eighty-seven per cent of the
2 salary of the director of human resources development.
3 Effective July 1, 2005, [~~the~~] deputy [~~manager~~]
4 managers shall be paid a salary not to exceed eighty-
5 five per cent of the manager's salary. The manager
6 shall have full power to administer the affairs of the
7 stadium and related facilities, subject to the
8 direction and approval of the authority. The manager
9 shall, subject to the approval of the authority, have
10 power to appoint, suspend, and discharge a secretary
11 who shall be exempt from the requirements of chapters
12 76 and 89, and other employees, subordinates, and
13 assistants as may be necessary for the proper conduct
14 of the business of the authority. Except for persons
15 hired on contract or otherwise as provided in section
16 109-3 and except for the manager, deputy [~~manager,~~]
17 managers, and secretary, all appointments,
18 suspensions, or discharges shall be made in conformity
19 with the applicable provisions of chapter 76; and
20 [~~+6~~] (7) To plan, promote, and market the stadium and
21 related facilities."



1 SECTION 3. Section 109-7, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any law enforcement officer who has police powers to
4 arrest offenders and issue citations, including any police
5 officer of the counties, shall have the authority to enforce any
6 rule [~~promulgated~~] adopted pursuant to section [~~109-2(4).~~]
7 109-2(5)."

8 SECTION 4. Section 171-2, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§171-2 Definition of public lands.** "Public lands" means
11 all lands or interest therein in the State classed as government
12 or crown lands previous to August 15, 1895, or acquired or
13 reserved by the government upon or subsequent to that date by
14 purchase, exchange, escheat, or the exercise of the right of
15 eminent domain, or in any other manner; including lands accreted
16 after May 20, 2003, and not otherwise awarded, submerged lands,
17 and lands beneath tidal waters that are suitable for
18 reclamation, together with reclaimed lands that have been given
19 the status of public lands under this chapter, except:

- 20 (1) Lands designated in section 203 of the Hawaiian Homes
21 Commission Act, 1920, as amended;



- 1 (2) Lands set aside pursuant to law for the use of the
2 United States;
- 3 (3) Lands being used for roads and streets;
- 4 (4) Lands to which the United States relinquished the
5 absolute fee and ownership under section 91 of the
6 Hawaiian Organic Act prior to the admission of Hawaii
7 as a state of the United States unless subsequently
8 placed under the control of the board of land and
9 natural resources and given the status of public lands
10 in accordance with the state constitution, the
11 Hawaiian Homes Commission Act, 1920, as amended, or
12 other laws;
- 13 (5) Lands to which the University of Hawaii holds title;
- 14 (6) Lands to which the Hawaii housing finance and
15 development corporation in its corporate capacity
16 holds title;
- 17 (7) Lands to which the Hawaii community development
18 authority in its corporate capacity holds title;
- 19 (8) Lands set aside by the governor to the Hawaii public
20 housing authority or lands to which the Hawaii public



- 1 housing authority in its corporate capacity holds
2 title;
- 3 (9) Lands to which the department of agriculture holds
4 title by way of foreclosure, voluntary surrender, or
5 otherwise, to recover moneys loaned or to recover
6 debts otherwise owed the department under chapter 167;
- 7 (10) Lands that are set aside by the governor to the Aloha
8 Tower development corporation; lands leased to the
9 Aloha Tower development corporation by any department
10 or agency of the State; or lands to which the Aloha
11 Tower development corporation holds title in its
12 corporate capacity;
- 13 (11) Lands that are set aside by the governor to the
14 agribusiness development corporation; lands leased to
15 the agribusiness development corporation by any
16 department or agency of the State; or lands to which
17 the agribusiness development corporation in its
18 corporate capacity holds title;
- 19 (12) Lands to which the Hawaii technology development
20 corporation in its corporate capacity holds title;
- 21 [~~and~~]



1 (13) Lands to which the department of education holds
 2 title; and
 3 (14) Lands to which the stadium authority holds title;
 4 provided that, except as otherwise limited under federal law and
 5 except for state land used as an airport as defined in section
 6 262-1, public lands shall include the air rights over any
 7 portion of state land upon which a county mass transit project
 8 is developed after July 11, 2005[-]; provided further that if
 9 the lands under paragraph (14) are no longer needed for the
 10 stadium and stadium-related purposes, the lands shall be
 11 returned to the public land trust administered by the
 12 department."

13 SECTION 5. Section 171-64.7, Hawaii Revised Statutes, is
 14 amended by amending subsection (a) to read as follows:
 15 "(a) This section applies to all lands or interest therein
 16 owned or under the control of state departments and agencies
 17 classed as government or crown lands previous to August 15,
 18 1895, or acquired or reserved by the government upon or
 19 subsequent to that date by purchase, exchange, escheat, or the
 20 exercise of the right of eminent domain, or any other manner,
 21 including accreted lands not otherwise awarded, submerged lands,



1 and lands beneath tidal waters that are suitable for
2 reclamation, together with reclaimed lands that have been given
3 the status of public lands under this chapter, including:

4 (1) Land set aside pursuant to law for the use of the
5 United States;

6 (2) Land to which the United States relinquished the
7 absolute fee and ownership under section 91 of the
8 Organic Act prior to the admission of Hawaii as a
9 state of the United States;

10 (3) Land to which the University of Hawaii holds title;

11 (4) Land to which the Hawaii housing finance and
12 development corporation in its corporate capacity
13 holds title;

14 (5) Land to which the department of agriculture holds
15 title by way of foreclosure, voluntary surrender, or
16 otherwise, to recover moneys loaned or to recover
17 debts otherwise owed the department under chapter 167;

18 (6) Land that is set aside by the governor to the Aloha
19 Tower development corporation; or land to which the
20 Aloha Tower development corporation holds title in its
21 corporate capacity;



1 (7) Land that is set aside by the governor to the
2 agribusiness development corporation; or land to which
3 the agribusiness development corporation in its
4 corporate capacity holds title;

5 (8) Land to which the Hawaii technology development
6 corporation in its corporate capacity holds title;

7 (9) Land to which the department of education holds title;
8 [~~and~~]

9 (10) Land to which the Hawaii public housing authority in
10 its corporate capacity holds title[-]; and

11 (11) Lands to which the stadium authority holds title."

12 SECTION 6. Section 206E-14, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) The authority [~~may~~], without recourse to public
15 auction, may sell, or lease for a term not exceeding [~~sixty-~~
16 ~~five~~] ninety-nine years, all or any portion of the real or
17 personal property constituting a redevelopment project to any
18 person, upon [~~such~~] terms and conditions as may be approved by
19 the authority, if the authority finds that the sale or lease is
20 in conformity with the community development plan.



- 1 (3) The administrative director of the State;
- 2 (4) The president, the vice presidents, the assistant vice
3 presidents, the chancellors, members of the board of
4 regents, and the provosts of the University of Hawaii;
- 5 (5) The members of the board of education and the
6 superintendent, the deputy superintendent, the state
7 librarian, and the deputy state librarian of the
8 department of education;
- 9 (6) The administrative director and the deputy director of
10 the courts;
- 11 (7) The administrator and the assistant administrator of
12 the office of Hawaiian affairs; and
- 13 (8) The members of the following state boards,
14 commissions, and agencies:
 - 15 (A) The board of directors of the agribusiness
16 development corporation established under section
17 163D-3;
 - 18 (B) The board of agriculture established under
19 section 26-16;
 - 20 (C) The state ethics commission established under
21 section 84-21;



- 1 (D) The Hawaii community development authority
- 2 established under section 206E-3;
- 3 (E) The Hawaiian homes commission established under
- 4 the Hawaiian Homes Commission Act of 1920, as
- 5 amended, and section 26-17;
- 6 (F) The board of directors of the Hawaii housing
- 7 finance and development corporation established
- 8 under section 201H-3;
- 9 (G) The board of land and natural resources
- 10 established under section 171-4;
- 11 (H) The state land use commission established under
- 12 section 205-1;
- 13 (I) The legacy land conservation commission
- 14 established under section 173A-2.4;
- 15 (J) The natural area reserves system commission
- 16 established under section 195-6;
- 17 (K) The board of directors of the natural energy
- 18 laboratory of Hawaii authority established under
- 19 section 227D-2;



- 1 (L) The board of directors of the Hawaii public
- 2 housing authority established under section
- 3 356D-3;
- 4 (M) The public utilities commission established under
- 5 section 269-2; ~~and~~
- 6 (N) The commission on water resource management
- 7 established under section 174C-7~~[-]~~; and
- 8 (O) The stadium authority established under section
- 9 109-1."

10 SECTION 9. Section 109-1, Hawaii Revised Statutes, is
 11 amended by amending subsections (a) and (b) to read as follows:

12 "(a) There shall be within the department of accounting
 13 and general services for administrative purposes only, a stadium
 14 authority whose responsibility shall be to maintain, operate,
 15 and manage the stadium and facilities attached thereto. The
 16 authority shall consist of ~~[nine]~~ eleven members who shall be
 17 appointed by the governor in the manner prescribed by section
 18 26-34.

19 Of the eleven members:

20 (1) One member shall be a resident of one of the following
 21 areas:



- 1 (A) Excluding Ford Island, the area beginning at the
2 intersection of Oahu shoreline and Admiral Clarey
3 (Ford Island) Bridge and running:
4 (i) Easterly along said bridge to Salt Lake
5 boulevard;
6 (ii) Southeasterly along said boulevard to H-1
7 freeway;
8 (iii) Southwesterly along said freeway to Luapele
9 drive;
10 (iv) Westerly along said drive to Fleet place;
11 (v) Southwesterly along said place to Ulihi
12 street;
13 (vi) Southwesterly along said street to unnamed
14 road;
15 (vii) Southwesterly along said road(s) to Luapele
16 road;
17 (viii) Westerly along said road to Ulihi road;
18 (ix) Northwesterly along said road to Makalapa
19 drive;
20 (x) Southwesterly along said drive to Ulihi
21 road;



1 (xi) Westerly along said road to Halawa drive;

2 (xii) Northwesternly along said drive to Arizona
3 street;

4 (xiii) Westerly along said street to Kamehameha
5 highway;

6 (xiv) Northerly along said highway to Halawa
7 stream;

8 (xv) Westerly along said stream to Oahu
9 shoreline; and

10 (xvi) Northerly along said shoreline to point of
11 beginning;

12 (B) The area beginning at the intersection of Kaonohi
13 street and H-1 freeway and running:

14 (i) Southeasterly along said freeway to Moanalua
15 freeway - Kamehameha highway connector;

16 (ii) Northwesternly along said highway connector
17 to Kamehameha highway;

18 (iii) Northwesternly along said highway to Aiea
19 stream;

20 (iv) Southerly along said stream to Oahu
21 shoreline;



- 1 (v) Northwestery along said shoreline to
- 2 Kalauao stream;
- 3 (vi) Northeasterly along said stream to
- 4 Kamehameha highway;
- 5 (vii) Northwesterly along said highway to Kaonohi
- 6 street; and
- 7 (viii) Northeasterly along said street to point of
- 8 beginning; or
- 9 (C) The area beginning at the intersection of Waimalu
- 10 stream and Koolau ridge and running:
- 11 (i) Southeasterly along said ridge to Ewa -
- 12 Honolulu district boundary;
- 13 (ii) Southwesterly along said boundary to Red
- 14 Hill Naval Reservation boundary;
- 15 (iii) Southwesterly along said boundary to Tampa
- 16 drive;
- 17 (iv) Westerly along said drive to unnamed road;
- 18 (v) Northerly along said road to Icarus way;
- 19 (vi) Westerly along said way to unnamed road;
- 20 (vii) Southwesterly along said road(s) to Moanalua
- 21 freeway (H-201);



- 1 (viii) Westerly along said freeway to H-1 freeway;
- 2 (ix) Northwesternly along said freeway to Kaonohi
- 3 street;
- 4 (x) Southwesterly along said street to Moanalua
- 5 road;
- 6 (xi) Westerly along said road to Kaahumanu
- 7 street;
- 8 (xii) Northerly along said street to Komo Mai
- 9 drive;
- 10 (xiii) Easterly along said drive to Punanani gulch;
- 11 (xiv) Northeasterly along said gulch to powerline;
- 12 (xv) Southeasterly along said powerline to
- 13 Waimalu stream;
- 14 (xvi) Northeasterly along said stream to Aiea
- 15 stream;
- 16 (xvii) Easterly along said stream to Waimalu
- 17 stream; and
- 18 (xviii) Southeasterly along said stream to point of
- 19 beginning; and



- 1 (2) One member shall be from the area beginning at the
- 2 intersection of H-1 freeway and Moanalua freeway (H-
- 3 201) and running:
- 4 (A) Southeasterly along said freeway to Aliamanu
- 5 Military Reservation boundary;
- 6 (B) Westerly along said boundary to Wanaka street;
- 7 (C) Southwesterly along said street to Likini street;
- 8 (D) Northwesterly along said street to Ukana street;
- 9 (E) Southwesterly along said street to Keaka drive;
- 10 (F) Northwesterly along said drive to Manuwa drive;
- 11 (G) Southeasterly along said drive to Pakini street;
- 12 (H) Southwesterly along said street to Keaka drive;
- 13 (I) Southerly along said drive to Puolo drive;
- 14 (J) Westerly along said drive to Likini street;
- 15 (K) Southerly along said street to Maluna street;
- 16 (L) Westerly along said street to Salt Lake
- 17 boulevard;
- 18 (M) Southeasterly along said boulevard to unnamed
- 19 feature;
- 20 (N) Southwesterly along said feature to Reeves loop;
- 21 (O) Southwesterly along said loop to Radford drive;



- 1 (P) Westerly along said drive to Fuqua street;
2 (Q) Northeasterly along said street to Radford drive;
3 (R) Northwesterly along said drive to H-1 freeway;
4 and
5 (S) Northerly along said freeway to point of
6 beginning.

7 Each member of the authority shall have been a citizen of the
8 United States and a resident of the State for at least five
9 years next preceding the member's appointment. The president of
10 the University of Hawaii and the superintendent of education
11 shall be ex officio members of the authority but shall not vote.

12 (b) The chairperson of the authority shall be elected by
13 the majority of the members of the authority. The term of each
14 member shall be four years~~[7]~~; provided that of the members
15 initially appointed three members shall serve for four years,
16 three members shall serve for three years and the remaining
17 three members shall serve for two years. No person shall be
18 appointed consecutively to more than two terms as a member of
19 the authority. Vacancies shall be filled for the remainder of
20 any unexpired term in the same manner as original appointments."



1 SECTION 10. The terms of the initial two members added by
2 this Act shall commence on July 1, 2020.

3 PART III

4 SECTION 11. Act 268, Session Laws of Hawaii 2019, is
5 amended by adding a new section to read as follows:

6 "SECTION 7A. With the approval of the governor, the
7 stadium authority, as the designated expending agency for
8 capital improvement projects authorized in this Act, may
9 delegate to other state agencies the implementation of projects
10 when it is determined advantageous to do so by both the stadium
11 authority as the original expending agency and the agency to
12 which expending authority is to be delegated."

13 SECTION 12. Act 268, Session Laws of Hawaii 2019, is
14 amended by amending sections 4 to 6 to read as follows:

15 "SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$20,000,000 or so
17 much thereof as may be necessary for fiscal year 2019-2020 for
18 the [~~establishment and~~] development of the stadium [~~development~~
19 ~~district~~] authority property for public use.

20 The sum appropriated shall be expended by the [~~Hawaii~~
21 ~~community development~~] stadium authority for the purposes of



1 this Act; provided that the appropriation shall not lapse at the
2 end of the fiscal year for which the appropriation is made;
3 provided further that all moneys unencumbered as of June 30,
4 2022, shall lapse as of that date.

5 SECTION 5. The legislature finds and declares that the
6 issuance of revenue bonds under this Act is in the public
7 interest and for the public health, safety, and general
8 welfare[~~—Pursuant~~] pursuant to part III, chapter 39, Hawaii
9 Revised Statutes. Accordingly, the [~~Hawaii community~~
10 ~~development~~] stadium authority, with the approval of the
11 governor, may issue in one or more series revenue bonds in a
12 total amount not to exceed \$180,000,000 for the [~~Hawaii~~
13 ~~community development~~] stadium authority to implement [~~the~~
14 ~~stadium development district as provided for in part~~—,
15 ~~chapter 206E, Hawaii Revised Statutes.~~] the development of the
16 stadium authority property for public use.

17 The proceeds of the revenue bonds shall be deposited into
18 the [~~Hawaii community development revolving~~] stadium development
19 special fund created in section [~~206E-16,~~] 109-B, Hawaii Revised
20 Statutes.



1 The revenue bonds authorized under this Act shall be issued
2 pursuant to part III, chapter 39, Hawaii Revised Statutes. The
3 authorization to issue revenue bonds under this Act shall lapse
4 on June 30, 2024.

5 SECTION 6. The director of finance is authorized to issue
6 general obligation bonds in the sum of \$150,000,000 or so much
7 thereof as may be necessary and the same sum or so much thereof
8 as may be necessary is appropriated for fiscal year 2019-2020 to
9 the [~~Hawaii community development~~] stadium authority for the
10 [~~stadium development district.~~] development of the stadium
11 authority property for public use; provided that the
12 appropriation shall not lapse at the end of the fiscal year for
13 which the appropriation is made; provided further that all
14 moneys unencumbered as of June 30, 2022, shall lapse as of that
15 date."

16 PART IV

17 SECTION 13. In codifying the new sections added by section
18 1 of this Act, the revisor of statutes shall substitute
19 appropriate section numbers for the letters used in designating
20 the new sections in this Act.



1 SECTION 14. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 15. This Act shall take effect upon its approval.



Report Title:

HCDA; Stadium Development District; Stadium Authority;
Membership; Appropriation

Description:

Establishes the stadium development special fund. Defines "stadium development district" and "district". Establishes general development guidance policies for the stadium authority's actions in the stadium development district. Requires the stadium authority to submit annual comprehensive status reports to the legislature. Broadens the powers and duties of the stadium authority that includes authorizing the stadium authority to acquire and hold title to real property. Exempts land to which the stadium authority holds title from the definition of "public lands". Transfers authority to issue leases of lands within the stadium development district from the Hawaii community development authority to the stadium authority, including expenditure of general funds and issuance of revenue and general revenue bonds proceeds provided by Act 268, SLH 2019. Authorizes the stadium authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Repeals part IX of chapter 206E, HRS, relating to the stadium development district. Broadens the representation of the stadium authority by adding two members to its membership. Makes the financial disclosures of members of the stadium authority public records pursuant to section 84-17(d), HRS. (HD2)

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

