
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 three new sections to be appropriately
4 designated and to read as follows:

5 **"§109- Stadium development special fund; established.**

6 (a) There is established in the state treasury the stadium
7 development special fund into which shall be deposited:

8 (1) All revenues from the operations of the stadium
9 development;

10 (2) All proceeds from revenue bonds issued by the stadium
11 authority; and

12 (3) Appropriations made by the legislature to the fund.

13 (b) Moneys in the stadium development special fund shall
14 be used for the expenses of development and operations of the
15 stadium property.

16 **§109- Development guidance policies; established.** (a)

17 The following shall be the development guidance policies



1 generally governing the authority's actions in the stadium
2 development district:

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

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

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



- 1 (4) The authority may engage in planning, design, and
2 construction activities within and outside the
3 district; provided that activities outside the
4 district shall relate to infrastructure development,
5 area-wide drainage improvements, roadway realignments
6 and improvements, business and industrial relocation,
7 and other activities that the authority deems
8 necessary to carry out development of the district and
9 implement this part;
- 10 (5) Hawaiian archaeological, historic, and cultural sites
11 shall be preserved and protected;
- 12 (6) Endangered species of flora and fauna shall be
13 preserved to the extent required by law;
- 14 (7) Land use and development activities within the
15 district shall be coordinated with and, to the extent
16 possible, complement and support existing county and
17 state policies, plans, and programs affecting the
18 district;
- 19 (8) Public facilities within the district shall be
20 planned, located, and developed to support the
21 development guidance policies established by this



1 chapter for the district and any rules adopted
2 pursuant to chapter 91 to implement this chapter.

3 §109- Annual comprehensive report. Not less than
4 twenty days prior to the convening of each regular session of
5 the legislature, the authority shall submit to the legislature
6 an annual comprehensive status report on the progress of
7 development within the stadium development district."

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

10 "**§109-2 Stadium authority; powers and duties.** The powers
11 and duties of the stadium authority shall be as follows:

12 (1) To maintain, operate, ~~and~~ manage, and develop the
13 stadium ~~and related~~, facilities~~+~~ related to the
14 stadium, and real property held by the stadium
15 authority;

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

17 ~~+~~ (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



1 entering into leases; provided that leases shall not
2 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 The manager and deputy ~~[manager]~~ managers shall be
19 exempt from the requirements of chapters 76 and 89.
20 Effective July 1, 2005, the manager shall be paid a
21 salary not to exceed eighty-seven per cent of the



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

9 SECTION 5. Section 171-64.7, Hawaii Revised Statutes, is
 10 amended by amending subsection (a) to read as follows:

11 "(a) This section applies to all lands or interest therein
 12 owned or under the control of state departments and agencies
 13 classed as government or crown lands previous to August 15,
 14 1895, or acquired or reserved by the government upon or
 15 subsequent to that date by purchase, exchange, escheat, or the
 16 exercise of the right of eminent domain, or any other manner,
 17 including accreted lands not otherwise awarded, submerged lands,
 18 and lands beneath tidal waters that are suitable for
 19 reclamation, together with reclaimed lands that have been given
 20 the status of public lands under this chapter, including:



- 1 (1) Land set aside pursuant to law for the use of the
2 United States;
- 3 (2) Land to which the United States relinquished the
4 absolute fee and ownership under section 91 of the
5 Organic Act prior to the admission of Hawaii as a
6 state of the United States;
- 7 (3) Land to which the University of Hawaii holds title;
- 8 (4) Land to which the Hawaii housing finance and
9 development corporation in its corporate capacity
10 holds title;
- 11 (5) Land to which the department of agriculture holds
12 title by way of foreclosure, voluntary surrender, or
13 otherwise, to recover moneys loaned or to recover
14 debts otherwise owed the department under chapter 167;
- 15 (6) Land that is set aside by the governor to the Aloha
16 Tower development corporation; or land to which the
17 Aloha Tower development corporation holds title in its
18 corporate capacity;
- 19 (7) Land that is set aside by the governor to the
20 agribusiness development corporation; or land to which



- 1 the agribusiness development corporation in its
- 2 corporate capacity holds title;
- 3 (8) Land to which the Hawaii technology development
- 4 corporation in its corporate capacity holds title;
- 5 (9) Land to which the department of education holds title;
- 6 [and]
- 7 (10) Land to which the Hawaii public housing authority in
- 8 its corporate capacity holds title[-]; and
- 9 (11) Lands to which the stadium authority holds title."

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

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

19 ~~["For the stadium development district, leases shall not~~
 20 ~~exceed a term of ninety-nine years.]"~~



1 SECTION 7. Chapter 206E, part IX, Hawaii Revised Statutes,
2 is repealed.

3 PART II

4 SECTION 8. 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 9. 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 welfare.
8 Pursuant to part III, chapter 39, Hawaii Revised Statutes.
9 Accordingly, the [~~Hawaii community development~~] stadium
10 authority, with the approval of the governor, may issue in one
11 or more series revenue bonds in a total amount not to exceed
12 \$180,000,000 for the [~~Hawaii community development~~] stadium
13 authority to implement [~~the stadium development district as~~
14 ~~provided for in part~~], chapter 206E, Hawaii Revised
15 Statutes.] the development of stadium authority property for
16 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-, Hawaii
20 Revised 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 stadium authority
11 property for public use; provided that the appropriation shall
12 not lapse at the end of the fiscal year for which the
13 appropriation is made; provided further that all moneys
14 unencumbered as of June 30, 2022, shall lapse as of that date."

15 PART III

16 SECTION 10. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$1,000,000 or so much
18 thereof as may be necessary for fiscal year 2020-2021 to carry
19 out the purposes of this Act.

20 The sum appropriated shall be expended by the stadium
21 authority for the purposes of this Act; provided that the



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

5 PART IV

6 SECTION 11. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 12. This Act shall take effect on July 1, 2020.



Report Title:

HCDA; Stadium Development District; Stadium Authority;
Appropriation

Description:

Establishes the stadium development special fund. Establishes development guidance policies for the Stadium Authority's actions in the Stadium Development District. Requires the Stadium Authority to submit annual comprehensive reports to the Legislature. Authorizes the Stadium Authority to acquire and hold title to real property. Transfers authority to issue leases of the lands within the Stadium Development District from the Hawaii Community Development Authority to the Stadium Authority. Authorizes the Stadium Authority, with approval from the Governor, to delegate to other state agencies the implementation of capital improvement projects, under certain conditions. Repeals part IX of chapter 206E, Hawaii Revised Statutes, relating to the Stadium Development District. Appropriates funds. (SD2)

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

