

JAN 23 2020

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. Section 206E-3, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) The authority shall consist of the director of
4 finance or the director's designee; the director of
5 transportation or the director's designee; a cultural
6 specialist; an at-large member; an at-large member nominated by
7 the ~~[senate]~~ president ~~[+]~~ of the senate; an at-large member
8 nominated by the speaker of the house ~~[+]~~ of representatives;
9 three representatives of the Heeia community development
10 district, comprising two residents of that district or the
11 Koolaupoko district, which consists of sections 1 through 9 of
12 zone 4 of the first tax map key division, and one owner of a
13 small business or one officer or director of a nonprofit
14 organization in the Heeia community development district or
15 Koolaupoko district, with one each nominated by the ~~[county~~
16 ~~council of the county in which the Heeia community development~~
17 ~~district is located+]~~ governor, president of the senate, and



1 speaker of the house of representatives; three representatives
2 of the Kalaeloa community development district, comprising two
3 residents of the Ewa zone (zone 9, sections 1 through 2) or the
4 Waianae zone (zone 8, sections 1 through 9) of the first tax map
5 key division, and one owner of a small business or one officer
6 or director of a nonprofit organization in the Ewa or Waianae
7 zone, with one each nominated by the [~~county council of the~~
8 ~~county in which the Kalaeloa community development district is~~
9 ~~located;~~] governor, president of the senate, and speaker of the
10 house of representatives; three representatives of the Kakaako
11 community development district, comprising two residents of the
12 district and one owner of a small business or one officer or
13 director of a nonprofit organization in the district, nominated
14 by the [~~county council of the county in which the Kakaako~~
15 ~~community development district is located;~~] governor, president
16 of the senate, and speaker of the house of representatives; the
17 director of planning and permitting of each county in which a
18 community development district is located or the director's
19 designee, who shall serve in an ex officio, nonvoting capacity;
20 and the chairperson of the Hawaiian homes commission or the



1 chairperson's designee, who shall serve in an ex officio,
2 nonvoting capacity.

3 All members except the director of finance, director of
4 transportation, county directors of planning and permitting, and
5 chairperson of the Hawaiian homes commission or their designees
6 shall be appointed by the governor pursuant to section 26-34.

7 The two at-large members nominated by the ~~[senate]~~ president of
8 the senate and speaker of the house of representatives and the
9 nine representatives of the respective community development
10 districts shall each be appointed by the governor from a list of
11 three nominees submitted for each position by the nominating
12 authority specified in this subsection.

13 The authority shall be organized and shall exercise
14 jurisdiction as follows:

15 (1) For matters affecting the Heeia community development
16 district, the following members shall be considered in
17 determining quorum and majority and shall be eligible
18 to vote:

19 (A) The director of finance or the director's
20 designee;



- 1 (B) The director of transportation or the director's
2 designee;
- 3 (C) The cultural specialist;
- 4 (D) The three at-large members; and
- 5 (E) The three representatives of the Heeia community
6 development district;
- 7 provided that the director of planning and permitting
8 of the relevant county or the director's designee
9 shall participate in these matters as an ex officio,
10 nonvoting member and shall not be considered in
11 determining quorum and majority;
- 12 (2) For matters affecting the Kalaeloa community
13 development district, the following members shall be
14 considered in determining quorum and majority and
15 shall be eligible to vote:
- 16 (A) The director of finance or the director's
17 designee;
- 18 (B) The director of transportation or the director's
19 designee;
- 20 (C) The cultural specialist;
- 21 (D) The three at-large members; and



- 1 (E) The three representatives of the Kalaeloa
2 community development district;
3 provided that the director of planning and permitting
4 of the relevant county and the chairperson of the
5 Hawaiian homes commission, or their respective
6 designees, shall participate in these matters as ex
7 officio, nonvoting members and shall not be considered
8 in determining quorum and majority;
- 9 (3) For matters affecting the Kakaako community
10 development district, the following members shall be
11 considered in determining quorum and majority and
12 shall be eligible to vote:
- 13 (A) The director of finance or the director's
14 designee;
- 15 (B) The director of transportation or the director's
16 designee;
- 17 (C) The cultural specialist;
- 18 (D) The three at-large members; and
- 19 (E) The three representatives of the Kakaako
20 community development district;



1 provided that the director of planning and permitting
2 of the relevant county or the director's designee
3 shall participate in these matters as an ex officio,
4 nonvoting member and shall not be considered in
5 determining quorum and majority.

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

10 The terms of the director of finance, director of
11 transportation, county directors of planning and permitting, and
12 chairperson of the Hawaiian homes commission or their respective
13 designees shall run concurrently with each official's term of
14 office. The terms of the appointed voting members shall be for
15 four years, commencing on July 1 and expiring on June 30;
16 provided that the initial terms of all voting members initially
17 appointed pursuant to Act 61, Session Laws of Hawaii 2014, shall
18 commence on March 1, 2015. The governor shall provide for
19 staggered terms of the initially appointed voting members so
20 that the initial terms of four members selected by lot shall be
21 for two years, the initial terms of four members selected by lot



1 shall be for three years, and the initial terms of the remaining
2 five members shall be for four years.

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

5 Notwithstanding section 92-15, a majority of all eligible
6 voting members as specified in this subsection shall constitute
7 a quorum to do business, and the concurrence of a majority of
8 all eligible voting members as specified in this subsection
9 shall be necessary to make any action of the authority valid.

10 All members shall continue in office until their respective
11 successors have been appointed and qualified. Except as herein
12 provided, no member appointed under this subsection shall be an
13 officer or employee of the State or its political subdivisions.

14 For purposes of this section, "small business" means a
15 business which is independently owned and which is not dominant
16 in its field of operation."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

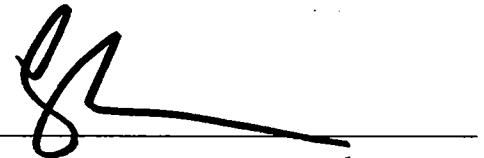
19 SECTION 3. This Act shall take effect upon its approval;
20 provided that the existing representatives of the Heeia
21 community development district, Kalaeloa community development



1 district, and Kakaako community development district shall
2 continue to serve until the expiration of their respective
3 terms.

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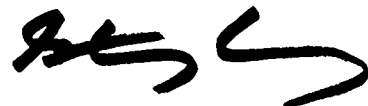
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S.B. NO. 3061

Report Title:

Hawaii Community Development Authority; Membership; Nominating Authority

Description:

Amends the nominating authority of the representatives of the Heeia community development district, Kalaeloa community development district, and Kakaako community development district on the Hawaii community development authority.

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

