



GOV. MSG. NO. 1248

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 30, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 30, 2021, the following bill was signed into law:

HB1348 HD2 SD2 CD1

RELATING TO THE STADIUM DEVELOPMENT
DISTRICT
ACT 146 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

ORIGINAL

ON JUN 30 2021

HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ACT 146
H.B. NO.

1348
H.D. 2
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO THE STADIUM DEVELOPMENT DISTRICT.

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

PART I

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

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

Of the eleven members:

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

(A) Excluding Ford Island, the area beginning at the intersection of the shoreline and Admiral Clarey (Ford Island) Bridge and running:



- 1 (i) Easterly along said bridge to Salt Lake
- 2 boulevard;
- 3 (ii) Southeasterly along said boulevard to
- 4 Luapele drive;
- 5 (iii) Westerly along said drive to Fleet place;
- 6 (iv) Westerly along said place to Ulithi street;
- 7 (v) Southwesterly along said street to Luapele
- 8 road;
- 9 (vi) Westerly along said road to Ulihi road;
- 10 (vii) Westerly along said road to Makalapa drive;
- 11 (viii) Southwesterly along said drive to Halawa
- 12 drive;
- 13 (ix) Northwesterly along said drive to Kamehameha
- 14 highway;
- 15 (x) Northerly along said highway to Halawa
- 16 stream;
- 17 (xi) Westerly along said stream to the shoreline;
- 18 and
- 19 (xii) Northerly along said shoreline to its
- 20 intersection with Admiral Clarey (Ford
- 21 Island) Bridge;



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

3 (i) Southeasterly along said freeway to the
4 Moanalua freeway - Kamehameha highway
5 connector;

6 (ii) Northwesterly along said highway connector
7 to Kamehameha highway;

8 (iii) Northwesterly along said highway to Aiea
9 stream;

10 (iv) Southerly along said stream to the
11 shoreline;

12 (v) Northwesterly along said shoreline to
13 Kalauao stream;

14 (vi) Northeasterly along said stream to
15 Kamehameha highway;

16 (vii) Northwesterly along said highway to Kaonohi
17 street; and

18 (viii) Northeasterly along said street to its
19 intersection with H-1 freeway; or

20 (C) The area beginning at the intersection of Waimalu
21 stream and Koolau ridge and running:



- 1 (i) Southeasterly along said ridge to
- 2 Ewa-Honolulu district boundary;
- 3 (ii) Southwesterly along said boundary to Red
- 4 Hill Naval Reservation boundary;
- 5 (iii) Southwesterly along said boundary to Tampa
- 6 drive;
- 7 (iv) Westerly along said drive to the unnamed
- 8 road;
- 9 (v) Northerly along said road to Icarus way;
- 10 (vi) Westerly along said way to the unnamed road;
- 11 (vii) Southwesterly along said road to Moanalua
- 12 freeway (H-201);
- 13 (viii) Westerly along said freeway to H-1 freeway;
- 14 (ix) Northwesterly along said freeway to Kaonohi
- 15 street;
- 16 (x) Southwesterly along said street to Moanalua
- 17 road;
- 18 (xi) Westerly along said road to Kaahumanu
- 19 street;
- 20 (xii) Northerly along said street to Komo Mai
- 21 drive;



- 1 (xiii) Easterly along said drive to Punanani gulch;
- 2 (xiv) Northeasterly along said gulch to the
- 3 powerline;
- 4 (xv) Southeasterly along said powerline to
- 5 Waimalu stream;
- 6 (xvi) Northeasterly along said stream to Aiea
- 7 stream;
- 8 (xvii) Easterly along said stream to Waimalu
- 9 stream; and
- 10 (xviii) Southeasterly along said stream to its
- 11 intersection with Koolau ridge; and
- 12 (2) One member shall be from the area beginning at the
- 13 intersection of H-1 freeway and Moanalua
- 14 freeway (H-201) and running:
- 15 (A) Southeasterly along said freeway to Aliamanu
- 16 Military Reservation southern boundary;
- 17 (B) Westerly along said boundary to Wanaka street;
- 18 (C) Southwesterly along said street to Likini street;
- 19 (D) Northwesterly along said street to Ukana street;
- 20 (E) Southwesterly along said street to Keaka drive;
- 21 (F) Northwesterly along said drive to Manuwa drive;



- 1 (G) Southeasterly along said drive to Pakini street;
2 (H) Southwesterly along said street to Keaka drive;
3 (I) Southerly along said drive to Puolo drive;
4 (J) Westerly along said drive to Likini street;
5 (K) Southerly along said street to Maluna street;
6 (L) Westerly along said street to Salt Lake
7 boulevard;
8 (M) Southeasterly along said boulevard to the former
9 street entrance to U.S. Naval Reservation;
10 (N) Southwesterly along said feature to Reeves loop;
11 (O) Southwesterly along said loop to Radford drive;
12 (P) Westerly along said drive to H-1 freeway; and
13 (Q) Northerly along said freeway to its intersection
14 with Moanalua freeway (H-201).

15 Each member of the authority shall have been a citizen of the
16 United States and a resident of the State for at least
17 five years next preceding the member's appointment. The
18 eleven members shall include the president of the University of
19 Hawaii and the superintendent of education, who shall be ex
20 officio members of the authority but shall not vote.



(b) The chairperson of the authority shall be elected by the majority of the members of the authority. The term of each member shall be four years~~[7]~~; provided that ~~[of]~~:

(1) Of the members initially appointed, three members shall serve for four years, three members shall serve for three years, and the remaining three members shall serve for two years~~[7]~~; and

(2) The terms of the members added by Act , Session Laws of Hawaii 2021, shall commence on July 1, 2021.

No person shall be appointed consecutively to more than two terms as a member of the authority. Vacancies shall be filled for the remainder of any unexpired term in the same manner as original appointments."

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

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

(1) To repair, maintain, and operate~~[7 and manage the stadium and related facilities,]~~ stadium facilities and the stadium development district, including:



- 1 (A) Repairs, maintenance, operations, and demolition
2 of existing stadium facilities;
- 3 (B) Operations and maintenance of a new stadium; and
4 (C) Contractual payments to developers, contractors,
5 or management contractors engaged by the stadium
6 authority;
- 7 (2) To coordinate in planning, design, and construction
8 activities, including on-site repairs, within the
9 stadium development district;
- 10 (3) To acquire and hold title to real property;
- 11 [+2+] (4) To prescribe and collect rents, fees, and charges
12 for the use or enjoyment of the stadium [~~or any of~~
13 ~~its~~], facilities[+] related to the stadium, and real
14 property held by the stadium authority, including
15 entering into leases, contracts, sponsorship and
16 advertising agreements, food and beverage agreements,
17 concession agreements, parking agreements, or other
18 development and use agreements that may apply;
19 provided that leases shall not exceed a term of
20 ninety-nine years;



1 [+3+] (5) To make and execute contracts and other
2 instruments necessary or convenient to exercise its
3 powers under this chapter and subject to any
4 limitations in this chapter, to exercise all powers
5 necessary, incidental, or convenient to carry out and
6 effectuate the purposes and provisions of this
7 chapter;

8 [+4+] (6) To adopt, amend, and repeal, in accordance with
9 chapter 91, rules it may deem necessary to effectuate
10 this chapter and in connection with its projects,
11 operations, and facilities;

12 [+5+] (7) To appoint ~~[a manager and a deputy manager who~~
13 ~~shall have qualifications as the authority deems~~
14 ~~necessary and who shall hold their respective offices~~
15 ~~at the pleasure of the authority. The manager and~~
16 ~~deputy manager shall be exempt from the requirements~~
17 ~~of chapters 76 and 89. Effective July 1, 2005, the~~
18 ~~manager shall be paid a salary not to exceed~~
19 ~~eighty-seven per cent of the salary of the director of~~
20 ~~human resources development. Effective July 1, 2005,~~
21 ~~the deputy manager shall be paid a salary not to~~



1 ~~exceed eighty-five per cent of the manager's salary.~~
2 ~~The manager shall have full power to administer the~~
3 ~~affairs of the stadium and related facilities, subject~~
4 ~~to the direction and approval of the authority. The~~
5 ~~manager shall, subject to the approval of the~~
6 ~~authority, have power to appoint, suspend, and~~
7 ~~discharge a secretary who shall be exempt from the~~
8 ~~requirements of chapters 76 and 89, and other~~
9 ~~employees, subordinates, and assistants as may be~~
10 ~~necessary for the proper conduct of the business of~~
11 ~~the authority. Except for persons hired on contract~~
12 ~~or otherwise as provided in section 109-3 and except~~
13 ~~for the manager, deputy manager, and secretary, all~~
14 ~~appointments, suspensions, or discharges shall be made~~
15 ~~in conformity with the applicable provisions of~~
16 ~~chapter 76,]~~ officers, agents, and employees,
17 prescribe their duties and qualifications, and fix
18 their salaries, without regard to chapters 76 and 89,
19 to manage the stadium, the stadium development
20 district, and its contractors; and



1 ~~[-6-]~~ (8) To plan, promote, and market the stadium and
2 related facilities."

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

5 "(a) Any law enforcement officer who has police powers to
6 arrest offenders and issue citations, including any police
7 officer of the counties, shall have the authority to enforce any
8 rule ~~[promulgated]~~ adopted pursuant to section ~~[109-2(4)-]~~
9 109-2(6)."

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

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



- 1 (1) Lands designated in section 203 of the Hawaiian Homes
2 Commission Act, 1920, as amended;
- 3 (2) Lands set aside pursuant to law for the use of the
4 United States;
- 5 (3) Lands being used for roads and streets;
- 6 (4) Lands to which the United States relinquished the
7 absolute fee and ownership under section 91 of the
8 Hawaiian Organic Act prior to the admission of Hawaii
9 as a state of the United States unless subsequently
10 placed under the control of the board of land and
11 natural resources and given the status of public lands
12 in accordance with the state constitution, the
13 Hawaiian Homes Commission Act, 1920, as amended, or
14 other laws;
- 15 (5) Lands to which the University of Hawaii holds title;
- 16 (6) Lands to which the Hawaii housing finance and
17 development corporation in its corporate capacity
18 holds title;
- 19 (7) Lands to which the Hawaii community development
20 authority in its corporate capacity holds title;



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



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

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

18 "(a) This section applies to all lands or interest therein
19 owned or under the control of state departments and agencies
20 classed as government or crown lands previous to August 15,
21 1895, or acquired or reserved by the government upon or



1 subsequent to that date by purchase, exchange, escheat, or the
2 exercise of the right of eminent domain, or any other manner,
3 including accreted lands not otherwise awarded, submerged lands,
4 and lands beneath tidal waters that are suitable for
5 reclamation, together with reclaimed lands that have been given
6 the status of public lands under this chapter, including:

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

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

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

14 (4) Land to which the Hawaii housing finance and
15 development corporation in its corporate capacity
16 holds title;

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



(6) Land that is set aside by the governor to the Aloha Tower development corporation[+] or land to which the Aloha Tower development corporation holds title in its corporate capacity;

(7) Land that is set aside by the governor to the agribusiness development corporation[+] or land to which the agribusiness development corporation in its corporate capacity holds title;

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

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

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

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

PART II

SECTION 6. Chapter 109, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§109- Stadium development special fund; established.

(a) There is established in the state treasury the stadium



development special fund, into which funds collected by the stadium authority shall be deposited, including:

(1) All revenues from the stadium development district, including but not limited to agreements or actions generating revenue related to stadium operations, lease or rental of facilities or land, concessions, food and beverage, parking, sponsorship and advertising, utilities and infrastructure, and development;

(2) All gifts or grants awarded in any form from any public agency or any other source for purposes of the stadium development district;

(3) All proceeds from revenue bonds issued for the purpose of the stadium development district; and

(4) Appropriations made by the legislature to the fund.

(b) Moneys in the stadium development special fund shall be used by the stadium authority for the payment of expenses arising from any and all use, operation, repair, maintenance, alteration, improvement, development, or any unforeseen or unplanned repairs of the stadium development district, including without limitation:



(1) The development, operation, and maintenance of a new stadium;

(2) Food and beverage service and parking service provided at the stadium facility; the sale of souvenirs, logo items, or other items; any future major repair, maintenance, and improvement of the stadium facility as a commercial enterprise or as a world-class facility for athletic events, entertainment, or public events; and marketing the facility pursuant to section 109-2(4) and (8); and

(3) Contractual payments to developers or contractors engaged by the stadium authority for the purpose of redeveloping the site and related on- and off-site infrastructure that benefits the stadium district and its development guidance policies."

SECTION 7. Section 206E-222, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

"Authority" or "stadium authority" means the stadium authority established pursuant to section 109-1."



1 SECTION 8. Section 109-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§109-3 Stadium special fund. (a)** There is created a
4 special fund to be known as the stadium special fund into which
5 funds collected by the authority shall be deposited. The
6 stadium special fund shall be applied, used, and disposed of for
7 the payment of:

8 (1) The expenses of the operation, maintenance, promotion,
9 and management of; and

10 (2) All or a portion of the cost of financing any capital
11 improvement project for;
12 the stadium and related facilities; provided that all services
13 required for the stadium and related facilities shall be
14 performed by persons hired on contract or otherwise, without
15 regard for chapter 76; provided further that the authority shall
16 report to the legislature all receipts and expenditures of the
17 stadium special fund account twenty days prior to the convening
18 of each regular session[+] until the stadium special fund is
19 closed pursuant to subsection (c).

20 (b) Notwithstanding subsection (a), all moneys collected
21 by the stadium authority after the effective date of Act ,



1 Session Laws of Hawaii 2021, shall be deposited into the stadium
2 development special fund pursuant to section 109- .

3 (c) Upon the effective date of Act , Session Laws of
4 Hawaii 2021, the stadium special fund established herein shall
5 be abolished, and all appropriations, encumbrances, and the
6 remaining unencumbered balance shall be transferred to the
7 stadium development special fund."

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

10 **"§109-8 Lost and found money or property at the stadium.**

11 All money or property found at the stadium shall be reported or
12 delivered by the finder to the stadium lost and found, and when
13 so delivered shall be held by the stadium for forty-five days or
14 until claimed by some person who establishes title or right of
15 custody thereto to the satisfaction of the stadium manager,
16 whichever is shorter. In the event of establishment of title or
17 right of custody, the money or property shall be delivered to
18 the claimant by the manager or the manager's agent. If after
19 forty-five days no claimant establishes a right to the money or
20 property, the money or property may be claimed by the person who
21 delivered it to the stadium lost and found; provided that if the



1 person who delivered it to the stadium lost and found fails to
2 claim the money or property within thirty days after being
3 notified by the manager, the manager shall deposit the money
4 into the state treasury to the credit of the stadium development
5 special fund or shall dispose of the property by public auction.
6 The manager shall give public notice, giving details as to time
7 and place of the auction and giving notice to all persons
8 interested in claiming the property that unless claims are made
9 by persons who can provide satisfactory proof of ownership
10 before a specified date, the property will be sold at public
11 auction to the highest bidder; provided that if the manager
12 considers the highest bid to be insufficient, the manager shall
13 have the right to decline the sale to the highest bidder and may
14 reoffer the property at a subsequent public auction. On the day
15 and at the place specified in the notice, all property for which
16 no satisfactory proof of ownership is made shall be sold by
17 auction by or under the direction of the manager.

18 If any property which is of a perishable nature or which is
19 unreasonably expensive to keep or safeguard remains unclaimed at
20 the stadium, the manager may sell that property at public
21 auction, at a time and after notice that is reasonable under the



1 circumstances. If the manager determines that any property
2 delivered to the manager pursuant to this section has no
3 apparent commercial value, the manager at any time thereafter
4 may destroy or otherwise dispose of the property.

5 The manager shall deposit into the stadium development
6 special fund all moneys received from the sale, destruction, or
7 disposition of any property. No action or proceeding shall be
8 brought or maintained against the State or any officer thereof
9 on account of such sale, destruction, or disposition. The
10 purchaser of property at any sale conducted by the manager
11 pursuant to this section shall receive good title to the
12 property purchased and shall take possession of the property
13 free from any and all claims of the owner, prior owners, and any
14 person claiming title.

15 For purposes of this section, notice by regular mail to the
16 last known address of the person who delivered the money or
17 property to the stadium lost and found shall be deemed
18 sufficient."

19 SECTION 10. Section 206E-223, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:



1 "(a) The stadium development district is established and
2 shall be composed of all [~~land~~] real property under the
3 jurisdiction of the stadium authority established pursuant to
4 section 109-1. The stadium authority shall have sole
5 jurisdiction over the development of the stadium development
6 district."

7 SECTION 11. Section 206E-224, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "~~{}~~**\$206E-224**~~{}~~ **Development guidance policies.** The
10 following shall be the development guidance policies generally
11 governing the authority's actions in the district:

- 12 (1) Development shall be in accordance with [~~any county~~]
13 stadium development district development plans or
14 transit-oriented development [~~plan, unless modified by~~
15 ~~the authority pursuant to paragraph (2);~~] plans
16 adopted by the stadium authority for the development
17 of the district; provided that the plan or plans shall
18 consider any county transit-oriented development plan
19 and allow for public input in the plan's preparation
20 and updates;



1 (2) ~~[With the approval of the governor, the]~~ The
2 authority, upon the concurrence of a majority of its
3 voting members, may modify and make changes to a
4 transit-oriented development plan with respect to the
5 district to respond to changing conditions; provided
6 that before amending a transit-oriented development
7 plan, the authority shall conduct a public hearing to
8 inform the public of the proposed changes and receive
9 public 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 high-capacity transit corridor project consistent
15 with the needs of the public, including ~~[mixed-use]~~
16 mixed-use housing and housing in transit-oriented
17 developments;

18 (4) The authority may engage in planning, design, and
19 construction activities within and outside the
20 district; provided that activities outside the
21 district shall relate to infrastructure development,



1 area-wide drainage improvements, roadway realignments
2 and improvements, business and industrial relocation,
3 and other activities the authority deems necessary to
4 carry out development of the district and implement
5 this part. The authority may undertake studies or
6 ~~[coordinating]~~ coordinate activities in conjunction
7 with the county and appropriate state agencies and may
8 address facility systems, industrial relocation, and
9 other activities;

10 (5) ~~[Hawaiian archaeological,]~~ Archaeological, historic,
11 and cultural sites shall be preserved and protected~~[+]~~
12 in accordance with chapter 6E;

13 (6) Endangered species of flora and fauna shall be
14 preserved to the extent ~~[feasible,]~~ required by law;

15 (7) Land use and development activities within the
16 district shall be coordinated with and, to the extent
17 possible, complement existing county and state
18 policies, plans, and programs affecting the district;
19 and

20 (8) Public facilities within the district shall be
21 planned, located, and developed to support the

1 development policies established by this chapter for
2 the district and rules adopted pursuant to this
3 chapter."

4 SECTION 12. Section 206E-225, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[~~+~~]**\$206E-225**[~~+~~] **Stadium development district governance;**
7 **memorandum of agreement.** Notwithstanding [~~section~~]
8 sections 206E-3[~~, for~~] and 206E-4.1, the stadium authority
9 established pursuant to section 109-1 shall have sole
10 jurisdiction regarding matters affecting the stadium development
11 district[~~, the executive director of the authority, state~~
12 ~~comptroller, and the stadium authority shall execute a~~
13 ~~memorandum of agreement with the appropriate state agencies.];~~
14 provided that the Hawaii community development authority,
15 department of accounting and general services, and stadium
16 authority shall enter into a memorandum of agreement regarding
17 the implementation of responsibilities of the respective
18 agencies."

19 PART III

20 SECTION 13. Section 36-27, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) Except as provided in this section, and
2 notwithstanding any other law to the contrary, from time to
3 time, the director of finance, for the purpose of defraying the
4 prorated estimate of central service expenses of government in
5 relation to all special funds, except the:

6 (1) Special out-of-school time instructional program fund
7 under section 302A-1310;

8 (2) School cafeteria special funds of the department of
9 education;

10 (3) Special funds of the University of Hawaii;

11 (4) State educational facilities improvement special fund;

12 (5) Convention center enterprise special fund under
13 section 201B-8;

14 (6) Special funds established by section 206E-6;

15 (7) Aloha Tower fund created by section 206J-17;

16 (8) Funds of the employees' retirement system created by
17 section 88-109;

18 (9) Hawaii hurricane relief fund established under
19 chapter 431P;

20 (10) Hawaii health systems corporation special funds and
21 the subaccounts of its regional system boards;



- 1 (11) Tourism special fund established under
- 2 section 201B-11;
- 3 (12) Universal service fund established under
- 4 section 269-42;
- 5 (13) Emergency and budget reserve fund under
- 6 section 328L-3;
- 7 (14) Public schools special fees and charges fund under
- 8 section 302A-1130;
- 9 (15) Sport fish special fund under section 187A-9.5;
- 10 [+] (16) [+] Neurotrauma special fund under section 321H-4;
- 11 [+] (17) [+] Glass advance disposal fee established by
- 12 section 342G-82;
- 13 [+] (18) [+] Center for nursing special fund under
- 14 section 304A-2163;
- 15 [+] (19) [+] Passenger facility charge special fund established by
- 16 section 261-5.5;
- 17 [+] (20) [+] Solicitation of funds for charitable purposes special
- 18 fund established by section 467B-15;
- 19 [+] (21) [+] Land conservation fund established by section 173A-5;
- 20 [+] (22) [+] Court interpreting services revolving fund under
- 21 section 607-1.5;



1 [+] (23) [+]Trauma system special fund under section 321-22.5;
2 [+] (24) [+]Hawaii cancer research special fund;
3 [+] (25) [+]Community health centers special fund;
4 [+] (26) [+]Emergency medical services special fund;
5 [+] (27) [+]Rental motor vehicle customer facility charge special
6 fund established under section 261-5.6;
7 [+] (28) [+]Shared services technology special fund under
8 section 27-43;
9 [+] (29) [+]Automated victim information and notification system
10 special fund established under section 353-136;
11 [+] (30) [+]Deposit beverage container deposit special fund under
12 section 342G-104;
13 [+] (31) [+]Hospital sustainability program special fund under
14 [+]section 346G-4[+];
15 [+] (32) [+]Nursing facility sustainability program special fund
16 under [+]section 346F-4[+];
17 [+] (33) [+]Hawaii 3R's school improvement fund under
18 section 302A-1502.4;
19 [+] (34) [+]After-school plus program revolving fund under
20 section 302A-1149.5; [and



1 ~~+~~ (35) ~~+~~ Civil monetary penalty special fund under

2 section 321-30.2~~[-]~~; and

3 (36) Stadium development special fund under

4 section 109- ,

5 shall deduct five per cent of all receipts of all other special
6 funds, which deduction shall be transferred to the general fund
7 of the State and become general realizations of the State. All
8 officers of the State and other persons having power to allocate
9 or disburse any special funds shall cooperate with the director
10 in effecting these transfers. To determine the proper revenue
11 base upon which the central service assessment is to be
12 calculated, the director shall adopt rules pursuant to
13 chapter 91 for the purpose of suspending or limiting the
14 application of the central service assessment of any fund. No
15 later than twenty days prior to the convening of each regular
16 session of the legislature, the director shall report all
17 central service assessments made during the preceding fiscal
18 year."

19 SECTION 14. Section 36-30, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:

21 "(a) Each special fund, except the:



- 1 (1) Special out-of-school time instructional program fund
- 2 under section 302A-1310;
- 3 (2) School cafeteria special funds of the department of
- 4 education;
- 5 (3) Special funds of the University of Hawaii;
- 6 (4) State educational facilities improvement special fund;
- 7 (5) Special funds established by section 206E-6;
- 8 (6) Aloha Tower fund created by section 206J-17;
- 9 (7) Funds of the employees' retirement system created by
- 10 section 88-109;
- 11 (8) Hawaii hurricane relief fund established under
- 12 chapter 431P;
- 13 (9) Convention center enterprise special fund established
- 14 under section 201B-8;
- 15 (10) Hawaii health systems corporation special funds and
- 16 the subaccounts of its regional system boards;
- 17 (11) Tourism special fund established under
- 18 section 201B-11;
- 19 (12) Universal service fund established under
- 20 section 269-42;



- 1 (13) Emergency and budget reserve fund under
2 section 328L-3;
- 3 (14) Public schools special fees and charges fund under
4 section 302A-1130;
- 5 (15) Sport fish special fund under section 187A-9.5;
- 6 [+] (16) [+] Neurotrauma special fund under section 321H-4;
- 7 [+] (17) [+] Center for nursing special fund under
8 section 304A-2163;
- 9 [+] (18) [+] Passenger facility charge special fund established by
10 section 261-5.5;
- 11 [+] (19) [+] Court interpreting services revolving fund under
12 section 607-1.5;
- 13 [+] (20) [+] Trauma system special fund under section 321-22.5;
- 14 [+] (21) [+] Hawaii cancer research special fund;
- 15 [+] (22) [+] Community health centers special fund;
- 16 [+] (23) [+] Emergency medical services special fund;
- 17 [+] (24) [+] Rental motor vehicle customer facility charge special
18 fund established under section 261-5.6;
- 19 [+] (25) [+] Shared services technology special fund under
20 section 27-43;



1 [+] (26) [+] Nursing facility sustainability program special fund

2 established pursuant to [+] section 346F-4[+];

3 [+] (27) [+] Automated victim information and notification system

4 special fund established under section 353-136;

5 [+] (28) [+] Hospital sustainability program special fund under

6 [+] section 346G-4[+]; ~~and~~

7 [+] (29) [+] Civil monetary penalty special fund under

8 section 321-30.2[+]; and

9 (30) Stadium development special fund under

10 section 109- ,

11 shall be responsible for its pro rata share of the

12 administrative expenses incurred by the department responsible

13 for the operations supported by the special fund concerned."

14 PART IV

15 SECTION 15. Section 84-17, Hawaii Revised Statutes, is

16 amended by amending subsection (d) to read as follows:

17 "(d) The financial disclosure statements of the following
18 persons shall be public records and available for inspection and
19 duplication:

20 (1) The governor, the lieutenant governor, the members of

21 the legislature, candidates for and delegates to the

- 1 constitutional convention, the trustees of the office
2 of Hawaiian affairs, and candidates for state elective
3 offices;
- 4 (2) The directors of the state departments and their
5 deputies, regardless of the titles by which the
6 foregoing persons are designated; provided that with
7 respect to the department of the attorney general, the
8 foregoing shall apply only to the attorney general and
9 the first deputy attorney general;
- 10 (3) The administrative director of the State;
- 11 (4) The president, the vice presidents, the assistant vice
12 presidents, the chancellors, members of the board of
13 regents, and the provosts of the University of Hawaii;
- 14 (5) The members of the board of education and the
15 superintendent, the deputy superintendent, the state
16 librarian, and the deputy state librarian of the
17 department of education;
- 18 (6) The administrative director and the deputy director of
19 the courts;
- 20 (7) The administrator and the assistant administrator of
21 the office of Hawaiian affairs; and



- 1 (8) The members of the following state boards,
2 commissions, and agencies:
- 3 (A) The board of directors of the agribusiness
4 development corporation established under
5 section 163D-3;
- 6 (B) The board of agriculture established under
7 section 26-16;
- 8 (C) The state ethics commission established under
9 section 84-21;
- 10 (D) The Hawaii community development authority
11 established under section 206E-3;
- 12 (E) The Hawaiian homes commission established under
13 the Hawaiian Homes Commission Act of 1920, as
14 amended, and section 26-17;
- 15 (F) The board of directors of the Hawaii housing
16 finance and development corporation established
17 under section 201H-3;
- 18 (G) The board of land and natural resources
19 established under section 171-4;
- 20 (H) The state land use commission established under
21 section 205-1;



- 1 (I) The legacy land conservation commission
- 2 established under section 173A-2.4;
- 3 (J) The natural area reserves system commission
- 4 established under section 195-6;
- 5 (K) The board of directors of the natural energy
- 6 laboratory of Hawaii authority established under
- 7 section 227D-2;
- 8 (L) The board of directors of the Hawaii public
- 9 housing authority established under
- 10 section 356D-3;
- 11 (M) The public utilities commission established under
- 12 section 269-2; [and]
- 13 (N) The commission on water resource management
- 14 established under section 174C-7[+]; and
- 15 (O) The stadium authority established under
- 16 section 109-1."

17 PART V

18 SECTION 16. Act 268, Session Laws of Hawaii 2019, is
19 amended by adding a new section to read as follows:

20 "SECTION 7A. The stadium authority, as the designated
21 expending agency for capital improvement projects authorized in



1 this Act, with the approval of the governor, may delegate to
2 other state agencies the implementation of projects, including
3 the transfer of funds to implement those projects, when it is
4 determined to be advantageous to do so by the stadium authority
5 as the original expending agency and the agency to which
6 expending authority is to be delegated."

7 SECTION 17. Act 268, Session Laws of Hawaii 2019,
8 section 5, is amended to read as follows:

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

19 ~~The proceeds of the revenue bonds shall be deposited into~~
20 ~~the Hawaii community development revolving fund created in~~
21 ~~section 206E-16, Hawaii 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.] REPEALED."~~

5 SECTION 18. Act 268, Session Laws of Hawaii 2019,
6 section 6, as amended by section 5 of Act 4, Session Laws of
7 Hawaii 2020, is amended to read as follows:

8 "SECTION 6. The director of finance is authorized to issue
9 general obligation bonds in the sum of \$170,000,000 or so much
10 thereof as may be necessary and the same sum or so much thereof
11 as may be necessary is appropriated for fiscal year 2019-2020 to
12 the [~~Hawaii community development~~] stadium authority for the
13 stadium development district; provided that the appropriation
14 made for the capital improvement project authorized by this
15 section shall not lapse at the end of the fiscal year for which
16 the appropriation is made; provided further that all moneys from
17 the appropriation unencumbered as of June 30, [~~2022,~~] 2024,
18 shall lapse as of that date.

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



1 SECTION 19. Act 268, Session Laws of Hawaii 2019, as
2 amended by Act 4, Session Laws of Hawaii 2020, is amended by
3 amending section 7 to read as follows:

4 "SECTION 7. The appropriation made for the capital
5 improvement project authorized by section 6 of this Act shall
6 not lapse at the end of the fiscal biennium for which the
7 appropriation is made; provided that all moneys from the
8 appropriation unencumbered as of June 30, [~~2022,~~] 2024, shall
9 lapse as of that date."

10 PART VI

11 SECTION 20. General obligation bonds appropriated by
12 Act 268, Session Laws of Hawaii 2019, as amended by Act 4,
13 Session Laws of Hawaii 2020, that have been allotted and
14 encumbered prior to approval of this Act shall continue to be
15 expended in accordance with the memorandum of agreement executed
16 by and between the Hawaii community development authority,
17 stadium authority, and department of accounting and general
18 services.



H.B. NO. 1348
H.D. 2
S.D. 2
C.D. 1

1 PART VII

2 SECTION 21. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 22. This Act shall take effect upon its approval.

APPROVED this 30 day of JUN , 2021

David I. Ige

GOVERNOR OF THE STATE OF HAWAII



HB No. 1348, HD 2, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives





Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.


President of the Senate


Clerk of the Senate