
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 Makalapa
18 drive;
- 19 (xii) Southwesterly along said drive to Halawa
20 drive;



1 (xiii) Northwesterly along said drive to Kamehameha
2 highway;

3 (xiv) Northerly along said highway to Halawa
4 stream;

5 (xv) Westerly along said stream to the shoreline;
6 and

7 (xvi) Northerly along said shoreline to its
8 intersection with Admiral Clarey (Ford
9 Island) Bridge;

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

12 (i) Southeasterly along said freeway to the
13 Moanalua freeway - Kamehameha highway
14 connector;

15 (ii) Northwesterly along said highway connector
16 to Kamehameha highway;

17 (iii) Northwesterly along said highway to Aiea
18 stream;

19 (iv) Southeasterly along said stream to the
20 Moanalua freeway - Kamehameha highway
21 connector;



- 1 (v) Northwesternly along said highway connector
2 to Kamehameha highway;
- 3 (vi) Northwesternly along said highway to Aiea
4 stream;
- 5 (vii) Southerly along said stream to the
6 shoreline;
- 7 (viii) Northwesternly along said shoreline to
8 Kalauao stream;
- 9 (ix) Northeasterly along said stream to
10 Kamehameha highway;
- 11 (x) Northwesternly along said highway to Kaonohi
12 street; and
- 13 (xi) Northeasterly along said street to its
14 intersection with H-1 freeway; or
- 15 (C) The area beginning at the intersection of Waimalu
16 stream and Koolau ridge and running:
- 17 (i) Southeasterly along said ridge to
18 Ewa-Honolulu district boundary;
- 19 (ii) Southwesterly along said boundary to Red
20 Hill Naval Reservation boundary;



- 1 (iii) Southwesterly along said boundary to Tampa
2 drive;
- 3 (iv) Westerly along said drive to the unnamed
4 road;
- 5 (v) Northerly along said road to Icarus way;
- 6 (vi) Westerly along said way to the unnamed road;
- 7 (vii) Southwesterly along said road to Moanalua
8 freeway (H-201);
- 9 (viii) Westerly along said freeway to H-1 freeway;
- 10 (ix) Northwesterly along said freeway to Kaonohi
11 street;
- 12 (x) Southwesterly along said street to Moanalua
13 road;
- 14 (xi) Westerly along said road to Kaahumanu
15 street;
- 16 (xii) Northerly along said street to Komo Mai
17 drive;
- 18 (xiii) Easterly along said drive to Punanani gulch;
- 19 (xiv) Northeasterly along said gulch to the
20 powerline;



1 (xv) Southeasterly along said powerline to
2 Waimalu stream;

3 (xvi) Northeasterly along said stream to Aiea
4 stream;

5 (xvii) Easterly along said stream to Waimalu
6 stream; and

7 (xviii) Southeasterly along said stream to its
8 intersection with Koolau ridge; and

9 (2) One member shall be from the area beginning at the
10 intersection of H-1 freeway and Moanalua freeway
11 (H-201) and running:

12 (A) Southeasterly along said freeway to Aliamanu
13 Military Reservation southern boundary;

14 (B) Westerly along said boundary to Wanaka street;

15 (C) Southwesterly along said street to Likini street;

16 (D) Northwesterly along said street to Ukana street;

17 (E) Southwesterly along said street to Keaka drive;

18 (F) Northwesterly along said drive to Manuwa drive;

19 (G) Southeasterly along said drive to Pakini street;

20 (H) Southwesterly along said street to Keaka drive;

21 (I) Southerly along said drive to Puolo drive;



1 (J) Westerly along said drive to Likini street;

2 (K) Southerly along said street to Maluna street;

3 (L) Westerly along said street to Salt Lake
4 boulevard;

5 (M) Southeasterly along said boulevard to the former
6 street entrance to U.S. Naval Reservation;

7 (N) Southwesterly along said feature to Reeves loop;

8 (O) Southwesterly along said loop to Radford drive;

9 (P) Westerly along said drive to H-1 freeway; and

10 (Q) Northerly along said freeway to its intersection
11 with Moanalua freeway (H-201).

12 Each member of the authority shall have been a citizen of the
13 United States and a resident of the State for at least five
14 years next preceding the member's appointment. The eleven
15 members shall include the president of the University of Hawaii
16 or the president's designee, who shall be an ex officio, voting
17 member of the authority; and the superintendent of education,
18 who shall be an ex officio [members] member of the authority but
19 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~~[, 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 eighty~~
19 ~~seven per cent of the salary of the director of human~~
20 ~~resources development. Effective July 1, 2005, the~~
21 ~~deputy manager shall be paid a salary not to exceed~~



1 ~~eighty five per cent of the manager's salary. The~~
2 ~~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 section
9 262-1, public lands shall include the air rights over any
10 portion of state land upon which a county mass transit project
11 is developed after July 11, 2005[-]; provided further that if
12 the lands pursuant to paragraph (14) are no longer needed for
13 the stadium development district or related purposes, the lands
14 shall be returned to the public land trust administered by the
15 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



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

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

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

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

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

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



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

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

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

16 (c) In establishing or amending fees or charges that
17 generate receipts for deposit into the stadium development
18 special fund, the stadium authority shall be exempt from the
19 public notice, public hearing, and gubernatorial approval
20 requirements of chapter 91. The fees and charges may be
21 established at an open meeting subject to the requirements of



1 chapter 92. The fees and charges may include rental rates for
2 events, facilities, equipment, parking, and services provided to
3 other government agencies and to the public."

4 SECTION 7. Chapter 206E, Hawaii Revised Statutes, is
5 amended by adding a new section to part VI to be appropriately
6 designated and to read as follows:

7 **"§206E- Special facilities powers; use for other**
8 **developments.** Notwithstanding section 206E-4.1 or any other law
9 to the contrary, the authority may use its powers under this
10 part to assist in the development of projects under the control
11 of other public agencies."

12 SECTION 8. Section 206E-222, Hawaii Revised Statutes, is
13 amended by adding a new definition to be appropriately inserted
14 and to read as follows:

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

17 SECTION 9. Section 109-3, Hawaii Revised Statutes, is
18 amended to read as follows:

19 **"§109-3 Stadium special fund.** (a) There is created a
20 special fund to be known as the stadium special fund into which
21 funds collected by the authority shall be deposited. The



1 stadium special fund shall be applied, used, and disposed of for
2 the payment of:

3 (1) The expenses of the operation, maintenance, promotion,
4 and management of; and

5 (2) All or a portion of the cost of financing any capital
6 improvement project for;

7 the stadium and related facilities; provided that all services
8 required for the stadium and related facilities shall be
9 performed by persons hired on contract or otherwise, without
10 regard for chapter 76; provided further that the authority shall
11 report to the legislature all receipts and expenditures of the
12 stadium special fund account twenty days prior to the convening
13 of each regular session[~~-~~] until the stadium special fund is
14 closed pursuant to subsection (c).

15 (b) Notwithstanding subsection (a), all moneys collected
16 by the stadium authority after the effective date of Act ,
17 Session Laws of Hawaii 2021, shall be deposited into the stadium
18 development special fund pursuant to section 109- .

19 (c) Upon the effective date of Act , Session Laws of
20 Hawaii 2021, the stadium special fund established herein shall
21 be abolished, and all appropriations, encumbrances, and the



1 remaining unencumbered balance shall be transferred to the
2 stadium development special fund."

3 SECTION 10. Section 109-8, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§109-8 Lost and found money or property at the stadium.**

6 All money or property found at the stadium shall be reported or
7 delivered by the finder to the stadium lost and found, and when
8 so delivered shall be held by the stadium for forty-five days or
9 until claimed by some person who establishes title or right of
10 custody thereto to the satisfaction of the stadium manager,
11 whichever is shorter. In the event of establishment of title or
12 right of custody, the money or property shall be delivered to
13 the claimant by the manager or the manager's agent. If after
14 forty-five days no claimant establishes a right to the money or
15 property, the money or property may be claimed by the person who
16 delivered it to the stadium lost and found; provided that if the
17 person who delivered it to the stadium lost and found fails to
18 claim the money or property within thirty days after being
19 notified by the manager, the manager shall deposit the money
20 into the state treasury to the credit of the stadium development
21 special fund or shall dispose of the property by public auction.



1 The manager shall give public notice, giving details as to time
2 and place of the auction and giving notice to all persons
3 interested in claiming the property that unless claims are made
4 by persons who can provide satisfactory proof of ownership
5 before a specified date, the property will be sold at public
6 auction to the highest bidder; provided that if the manager
7 considers the highest bid to be insufficient, the manager shall
8 have the right to decline the sale to the highest bidder and may
9 reoffer the property at a subsequent public auction. On the day
10 and at the place specified in the notice, all property for which
11 no satisfactory proof of ownership is made shall be sold by
12 auction by or under the direction of the manager.

13 If any property which is of a perishable nature or which is
14 unreasonably expensive to keep or safeguard remains unclaimed at
15 the stadium, the manager may sell that property at public
16 auction, at a time and after notice that is reasonable under the
17 circumstances. If the manager determines that any property
18 delivered to the manager pursuant to this section has no
19 apparent commercial value, the manager at any time thereafter
20 may destroy or otherwise dispose of the property.



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

11 For purposes of this section, notice by regular mail to the
12 last known address of the person who delivered the money or
13 property to the stadium lost and found shall be deemed
14 sufficient."

15 SECTION 11. Section 206E-223, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) The stadium development district is established and
18 shall be composed of all [~~land~~] real property under the
19 jurisdiction of the stadium authority established pursuant to
20 section 109-1. The stadium authority shall have sole



1 jurisdiction over the development of the stadium development
2 district."

3 SECTION 12. Section 206E-224, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~[+]§206E-224[+]~~ **Development guidance policies.** The
6 following shall be the development guidance policies generally
7 governing the authority's actions in the district:

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

16 (2) ~~[With the approval of the governor, the]~~ The
17 authority, upon the concurrence of a majority of its
18 voting members, may modify and make changes to a
19 transit-oriented development plan with respect to the
20 district to respond to changing conditions; provided
21 that before amending a transit-oriented development



1 plan, the authority shall conduct a public hearing to
2 inform the public of the proposed changes and receive
3 public input;

4 (3) The authority shall seek to promote economic
5 development and employment opportunities by fostering
6 diverse land uses and encouraging private sector
7 investments that use the opportunities presented by
8 the high-capacity transit corridor project consistent
9 with the needs of the public, including [~~mixed-use~~]
10 mixed-use housing and housing in transit-oriented
11 developments;

12 (4) The authority may engage in planning, design, and
13 construction activities within and outside the
14 district; provided that activities outside the
15 district shall relate to infrastructure development,
16 area-wide drainage improvements, roadway realignments
17 and improvements, business and industrial relocation,
18 and other activities the authority deems necessary to
19 carry out development of the district and implement
20 this part. The authority may undertake studies or
21 coordinating activities in conjunction with the county



1 and appropriate state agencies and may address
2 facility systems, industrial relocation, and other
3 activities;

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

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

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

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

19 SECTION 13. Section 206E-225, Hawaii Revised Statutes, is
20 amended to read as follows:



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

13 PART III

SECTION 14. Section 36-27, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

16 "(a) Except as provided in this section, and
17 notwithstanding any other law to the contrary, from time to
18 time, the director of finance, for the purpose of defraying the
19 prorated estimate of central service expenses of government in
20 relation to all special funds, 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) Convention center enterprise special fund under
- 8 section 201B-8;
- 9 (6) Special funds established by section 206E-6;
- 10 (7) Aloha Tower fund created by section 206J-17;
- 11 (8) Funds of the employees' retirement system created by
- 12 section 88-109;
- 13 (9) Hawaii hurricane relief fund established under chapter
- 14 431P;
- 15 (10) Hawaii health systems corporation special funds and
- 16 the subaccounts of its regional system boards;
- 17 (11) Tourism special fund established under section
- 18 201B-11;
- 19 (12) Universal service fund established under section
- 20 269-42;



- 1 (13) Emergency and budget reserve fund under section
2 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) [+] Glass advance disposal fee established by section
8 342G-82;
- 9 [+] (18) [+] Center for nursing special fund under section
10 304A-2163;
- 11 [+] (19) [+] Passenger facility charge special fund established by
12 section 261-5.5;
- 13 [+] (20) [+] Solicitation of funds for charitable purposes special
14 fund established by section 467B-15;
- 15 [+] (21) [+] Land conservation fund established by section 173A-5;
- 16 [+] (22) [+] Court interpreting services revolving fund under
17 section 607-1.5;
- 18 [+] (23) [+] Trauma system special fund under section 321-22.5;
- 19 [+] (24) [+] Hawaii cancer research special fund;
- 20 [+] (25) [+] Community health centers special fund;
- 21 [+] (26) [+] Emergency medical services special fund;



1 [+] (27) [+] Rental motor vehicle customer facility charge special
2 fund established under section 261-5.6;
3 [+] (28) [+] Shared services technology special fund under section
4 27-43;
5 [+] (29) [+] Automated victim information and notification system
6 special fund established under section 353-136;
7 [+] (30) [+] Deposit beverage container deposit special fund under
8 section 342G-104;
9 [+] (31) [+] Hospital sustainability program special fund under
10 [+] section 346G-4[+];
11 [+] (32) [+] Nursing facility sustainability program special fund
12 under [+] section 346F-4[+];
13 [+] (33) [+] Hawaii 3R's school improvement fund under section
14 302A-1502.4;
15 [+] (34) [+] After-school plus program revolving fund under section
16 302A-1149.5; ~~and~~
17 [+] (35) [+] Civil monetary penalty special fund under section
18 321-30.2[~~7~~]; and
19 (36) Stadium development special fund under section
20 109-_____ ,



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

14 SECTION 15. Section 36-30, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

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

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

19 (2) School cafeteria special funds of the department of
20 education;

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



- 1 (4) State educational facilities improvement special fund;
- 2 (5) Special funds established by section 206E-6;
- 3 (6) Aloha Tower fund created by section 206J-17;
- 4 (7) Funds of the employees' retirement system created by
- 5 section 88-109;
- 6 (8) Hawaii hurricane relief fund established under chapter
- 7 431P;
- 8 (9) Convention center enterprise special fund established
- 9 under section 201B-8;
- 10 (10) Hawaii health systems corporation special funds and
- 11 the subaccounts of its regional system boards;
- 12 (11) Tourism special fund established under section
- 13 201B-11;
- 14 (12) Universal service fund established under section
- 15 269-42;
- 16 (13) Emergency and budget reserve fund under section
- 17 328L-3;
- 18 (14) Public schools special fees and charges fund under
- 19 section 302A-1130;
- 20 (15) Sport fish special fund under section 187A-9.5;
- 21 [+](16)[+]Neurotrauma special fund under section 321H-4;



1 [+] (17) [+] Center for nursing special fund under section
2 304A-2163;
3 [+] (18) [+] Passenger facility charge special fund established by
4 section 261-5.5;
5 [+] (19) [+] Court interpreting services revolving fund under
6 section 607-1.5;
7 [+] (20) [+] Trauma system special fund under section 321-22.5;
8 [+] (21) [+] Hawaii cancer research special fund;
9 [+] (22) [+] Community health centers special fund;
10 [+] (23) [+] Emergency medical services special fund;
11 [+] (24) [+] Rental motor vehicle customer facility charge special
12 fund established under section 261-5.6;
13 [+] (25) [+] Shared services technology special fund under section
14 27-43;
15 [+] (26) [+] Nursing facility sustainability program special fund
16 established pursuant to [+] section 346F-4[+];
17 [+] (27) [+] Automated victim information and notification system
18 special fund established under section 353-136;
19 [+] (28) [+] Hospital sustainability program special fund under
20 [+] section 346G-4[+]; [~~and~~



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

2 321-30.2[+]; and

3 (30) Stadium development special fund under section 109- ,

4 shall be responsible for its pro rata share of the

5 administrative expenses incurred by the department responsible

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

7 PART IV

8 SECTION 16. Section 84-17, Hawaii Revised Statutes, is

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

10 "(d) The financial disclosure statements of the following
11 persons shall be public records and available for inspection and
12 duplication:

13 (1) The governor, the lieutenant governor, the members of
14 the legislature, candidates for and delegates to the
15 constitutional convention, the trustees of the office
16 of Hawaiian affairs, and candidates for state elective
17 offices;

18 (2) The directors of the state departments and their
19 deputies, regardless of the titles by which the
20 foregoing persons are designated; provided that with
21 respect to the department of the attorney general, the



1 foregoing shall apply only to the attorney general and
2 the first deputy attorney general;

3 (3) The administrative director of the State;

4 (4) The president, the vice presidents, the assistant vice
5 presidents, the chancellors, members of the board of
6 regents, and the provosts of the University of Hawaii;

7 (5) The members of the board of education and the
8 superintendent, the deputy superintendent, the state
9 librarian, and the deputy state librarian of the
10 department of education;

11 (6) The administrative director and the deputy director of
12 the courts;

13 (7) The administrator and the assistant administrator of
14 the office of Hawaiian affairs; and

15 (8) The members of the following state boards,
16 commissions, and agencies:

17 (A) The board of directors of the agribusiness
18 development corporation established under section
19 163D-3;

20 (B) The board of agriculture established under
21 section 26-16;



- 1 (C) The state ethics commission established under
2 section 84-21;
- 3 (D) The Hawaii community development authority
4 established under section 206E-3;
- 5 (E) The Hawaiian homes commission established under
6 the Hawaiian Homes Commission Act of 1920, as
7 amended, and section 26-17;
- 8 (F) The board of directors of the Hawaii housing
9 finance and development corporation established
10 under section 201H-3;
- 11 (G) The board of land and natural resources
12 established under section 171-4;
- 13 (H) The state land use commission established under
14 section 205-1;
- 15 (I) The legacy land conservation commission
16 established under section 173A-2.4;
- 17 (J) The natural area reserves system commission
18 established under section 195-6;
- 19 (K) The board of directors of the natural energy
20 laboratory of Hawaii authority established under
21 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 PART V

11 SECTION 17. Act 268, Session Laws of Hawaii 2019, is
12 amended by adding a new section to read as follows:

13 "SECTION 7A. The stadium authority, as the designated
14 expending agency for capital improvement projects authorized in
15 this Act, with the approval of the governor, may delegate to
16 other state agencies the implementation of projects when it is
17 determined advantageous to do so by both the stadium authority
18 as the original expending agency and the agency to which
19 expending authority is to be delegated."

20 SECTION 18. Act 268, Session Laws of Hawaii 2019, is
21 amended by amending section 5 to read as follows:



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

11 ~~The proceeds of the revenue bonds shall be deposited into~~
12 ~~the Hawaii community development revolving fund created in~~
13 ~~section 206E-16, Hawaii Revised Statutes.~~

14 ~~The revenue bonds authorized under this Act shall be issued~~
15 ~~pursuant to part III, chapter 39, Hawaii Revised Statutes. The~~
16 ~~authorization to issue revenue bonds under this Act shall lapse~~
17 ~~on June 30, 2024.] REPEALED."~~

18 SECTION 19. Act 268, Session Laws of Hawaii 2019, as
19 amended by Act 4, Session Laws of Hawaii 2020, is amended by
20 amending section 6 to read as follows:



1 "SECTION 6. (a) The director of finance is authorized to
2 issue general obligation bonds in the sum of \$170,000,000 or so
3 much thereof as may be necessary and the same sum or so much
4 thereof as may be necessary is appropriated for fiscal year
5 2019-2020 to the [~~Hawaii community development~~] stadium
6 authority for the stadium development district; provided that
7 the appropriation made for the capital improvement project
8 authorized by this section shall not lapse at the end of the
9 fiscal year for which the appropriation is made; provided
10 further that all moneys from the appropriation unencumbered as
11 of June 30, [~~2022~~], 2024, shall lapse as of that date.

12 The sum appropriated shall be expended by the [~~Hawaii~~
13 ~~community development~~] stadium authority for the purposes of
14 this Act.

15 (b) The director of finance is authorized to issue general
16 obligation bonds in the sum of \$180,000,000 or so much thereof
17 as may be necessary and the same sum or so much thereof as may
18 be necessary is appropriated for fiscal year 2021-2022 to the
19 stadium authority for the stadium development district; provided
20 that the appropriation made for the capital improvement project
21 authorized by this section shall not lapse at the end of the



1 fiscal year for which the appropriation is made; provided
2 further that all moneys from the appropriation unencumbered as
3 of June 30, 2024, shall lapse as of that date.

4 The sum appropriated shall be expended by the stadium
5 authority for the purposes of this Act."

6 SECTION 20. Act 268, Session Laws of Hawaii 2019, as
7 amended by Act 4, Session Laws of 2020, is amended by amending
8 section 7 to read as follows:

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

15 PART VI

16 SECTION 21. General obligation bonds appropriated by Act
17 268, Session Laws of Hawaii 2019, as amended by Act 4, Session
18 Laws of Hawaii 2020, that have been allotted and encumbered
19 prior to approval of this Act shall continue to be expended in
20 accordance with the memorandum of agreement executed by and



1 between the Hawaii community development authority, stadium
2 authority, and department of accounting and general services.

3 PART VII

4 SECTION 22. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 23. This Act shall take effect on July 1, 2021.



Report Title:

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

Description:

Establishes the stadium development special fund in chapter 109. Provides for the abolishment of the stadium special fund. Revises the general development guidance policies for the stadium development district and clarifies the respective roles the stadium authority and Hawaii community development authority in the development of the stadium development district. Broadens the powers and duties of the stadium authority, including 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." Authorizes the stadium authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Adds two members to the stadium authority. Provides that the president of the university of Hawaii shall be a voting member of the stadium authority. Amends the general bond authorization made by Act 268, Session Laws of Hawaii 2019. Makes the financial disclosures of members of the stadium authority public records. (SD2)

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

