

JAN 27 2021

# 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 road or roads to  
8                    Luapele 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 road to Makalapa drive;  
18                   (xii) Southwesterly along said drive to Halawa  
19                   drive;
- 20                   (xiii) Northwesterly along said drive to Kamehameha  
21                   highway;



- 1                    (xiv) Northerly along said highway to Halawa
- 2                    stream;
- 3                    (xv) Westerly along said stream to the shoreline;
- 4                    and
- 5                    (xvi) Northerly along said shoreline to point of
- 6                    beginning;
- 7                    (B) The area beginning at the intersection of Kaonohi
- 8                    street and H-1 freeway and running:
- 9                    (i) Southeasterly along said freeway to Moanalua
- 10                   freeway - Kamehameha highway connector;
- 11                   (ii) Northwesterly along said highway connector
- 12                   to Kamehameha highway;
- 13                   (iii) Northwesterly along said highway to Aiea
- 14                   stream;
- 15                   (iv) Southeasterly along said freeway to Moanalua
- 16                   freeway - Kamehameha highway connector;
- 17                   (v) Northwesterly along said highway connector
- 18                   to Kamehameha highway;
- 19                   (vi) Northwesterly along said highway to Aiea
- 20                   stream;



1            (vii) Southerly along said stream to the  
2            shoreline;

3            (viii) Northwesterly along said shoreline to  
4            Kalauao stream;

5            (ix) Northeasterly along said stream to  
6            Kamehameha highway;

7            (x) Northwesterly along said highway to Kaonohi  
8            street; and

9            (xi) Northeasterly along said street to point of  
10           beginning; or

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

13           (i) Southeasterly along said ridge to Ewa -  
14           Honolulu district boundary;

15           (ii) Southwesterly along said boundary to Red  
16           Hill Naval Reservation boundary;

17           (iii) Southwesterly along said boundary to Tampa  
18           drive;

19           (iv) Westerly along said drive to unnamed road;

20           (v) Northerly along said road to Icarus way;

21           (vi) Westerly along said way to unnamed road;



- 1            (vii) Southwesterly along said road(s) to Moanalua  
2            freeway (H-201);
- 3            (viii) Westerly along said freeway to H-1 freeway;  
4            (ix) Northwesterly along said freeway to Kaonohi  
5            street;
- 6            (x) Southwesterly along said street to Moanalua  
7            road;
- 8            (xi) Westerly along said road to Kaahumanu  
9            street;
- 10           (xii) Northerly along said street to Komo Mai  
11           drive;
- 12           (xiii) Easterly along said drive to Punanani gulch;  
13           (xiv) Northeasterly along said gulch to powerline;  
14           (xv) Southeasterly along said powerline to  
15           Waimalu stream;
- 16           (xvi) Northeasterly along said stream to Aiea  
17           stream;
- 18           (xvii) Easterly along said stream to Waimalu  
19           stream; and
- 20           (xviii) Southeasterly along said stream to point of  
21           beginning; and



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



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

2           (Q) Northerly along said freeway to point of

3           beginning.

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

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

13           (1) Of the members initially appointed, three members  
14 shall serve for four years, three members shall serve  
15 for three years, and the remaining three members shall  
16 serve for two years~~[-]~~; and

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

19 No person shall be appointed consecutively to more than two  
20 terms as a member of the authority. Vacancies shall be filled



1 for the remainder of any unexpired term in the same manner as  
2 original appointments."

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

5 "**§109-2 Stadium authority; powers and duties.** The powers  
6 and duties of the stadium authority shall be as follows:

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

10 (A) Repairs, maintenance, operations, and demolition  
11 of existing stadium facilities;

12 (B) Operations and maintenance of a new stadium; and

13 (C) Contractual payments to developers, contractors,  
14 or management contractors engaged by the stadium  
15 authority;

16 (2) To engage in coordination, planning, design, and  
17 construction activities, including on-site repairs,  
18 within the stadium development district;

19 (3) To acquire and hold title to real property;

20 [+2+] (4) To prescribe and collect rents, fees, and charges  
21 for the use or enjoyment of the stadium ~~[or any of~~





1           ~~its~~], facilities~~[+]~~ related to the stadium, and real  
2           property held by the stadium authority, including  
3           entering into leases, contracts, sponsorship and  
4           advertising agreements, food and beverage agreements,  
5           concession agreements, parking agreements, or other  
6           development and use agreements that may apply;  
7           provided that leases shall not exceed a term of  
8           ninety-nine years;

9       ~~[+3+]~~ (5) To make and execute contracts and other  
10           instruments necessary or convenient to exercise its  
11           powers under this chapter and subject to any  
12           limitations in this chapter, to exercise all powers  
13           necessary, incidental, or convenient to carry out and  
14           effectuate the purposes and provisions of this  
15           chapter;

16       ~~[+4+]~~ (6) To adopt, amend, and repeal in accordance with  
17           chapter 91 rules it may deem necessary to effectuate  
18           this chapter and in connection with its projects,  
19           operations, and facilities;

20       ~~[+5+]~~ (7) To appoint ~~[a manager and a deputy manager who~~  
21           ~~shall have qualifications as the authority deems~~



~~necessary and who shall hold their respective offices  
at the pleasure of the authority. The manager and  
deputy manager shall be exempt from the requirements  
of chapters 76 and 89. Effective July 1, 2005, the  
manager shall be paid a salary not to exceed eighty  
seven per cent of the salary of the director of human  
resources development. Effective July 1, 2005, the  
deputy manager shall be paid a salary not to exceed  
eighty five per cent of the manager's salary. The  
manager shall have full power to administer the  
affairs of the stadium and related facilities, subject  
to the direction and approval of the authority. The  
manager shall, subject to the approval of the  
authority, have power to appoint, suspend, and  
discharge a secretary who shall be exempt from the  
requirements of chapters 76 and 89, and other  
employees, subordinates, and assistants as may be  
necessary for the proper conduct of the business of  
the authority. Except for persons hired on contract  
or otherwise as provided in section 109-3 and except  
for the manager, deputy manager, and secretary, all~~



1        ~~appointments, suspensions, or discharges shall be made~~  
2        ~~in conformity with the applicable provisions of~~  
3        ~~chapter 76,]~~ officers, agents, and employees,  
4        prescribe their duties and qualifications, and fix  
5        their salaries, without regard to chapters 76 and 89,  
6        to manage the stadium or to manage the stadium  
7        development district and its contractors; and  
8        ~~[(6)]~~ (8) To plan, promote, and market the stadium and  
9        related facilities."

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

12       "(a) Any law enforcement officer who has police powers to  
13       arrest offenders and issue citations, including any police  
14       officer of the counties, shall have the authority to enforce any  
15       rule ~~[promulgated]~~ adopted pursuant to section ~~[109-2(4).]~~  
16       109-2(6)."

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

19       "**§171-2 Definition of public lands.** "Public lands" means  
20       all lands or interest therein in the State classed as government  
21       or crown lands previous to August 15, 1895, or acquired or



1 reserved by the government upon or subsequent to that date by  
2 purchase, exchange, escheat, or the exercise of the right of  
3 eminent domain, or in any other manner; including lands accreted  
4 after May 20, 2003, and not otherwise awarded, submerged lands,  
5 and lands beneath tidal waters that are suitable for  
6 reclamation, together with reclaimed lands that have been given  
7 the status of public lands under this chapter, except:

8 (1) Lands designated in section 203 of the Hawaiian Homes  
9 Commission Act, 1920, as amended;

10 (2) Lands set aside pursuant to law for the use of the  
11 United States;

12 (3) Lands being used for roads and streets;

13 (4) Lands to which the United States relinquished the  
14 absolute fee and ownership under section 91 of the  
15 Hawaiian Organic Act prior to the admission of Hawaii  
16 as a state of the United States unless subsequently  
17 placed under the control of the board of land and  
18 natural resources and given the status of public lands  
19 in accordance with the state constitution, the  
20 Hawaiian Homes Commission Act, 1920, as amended, or  
21 other laws;



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



1       (11) Lands that are set aside by the governor to the  
2           agribusiness development corporation; lands leased to  
3           the agribusiness development corporation by any  
4           department or agency of the State; or lands to which  
5           the agribusiness development corporation in its  
6           corporate capacity holds title;

7       (12) Lands to which the Hawaii technology development  
8           corporation in its corporate capacity holds title;  
9           ~~[and]~~

10      (13) Lands to which the department of education holds  
11          title; and

12      (14) Lands to which the stadium authority holds title;

13   provided that, except as otherwise limited under federal law and  
14   except for state land used as an airport as defined in section  
15   262-1, public lands shall include the air rights over any  
16   portion of state land upon which a county mass transit project  
17   is developed after July 11, 2005[-]; provided further that if  
18   the lands pursuant to paragraph (14) are no longer needed for  
19   the stadium development district or related purposes, the lands  
20   shall be returned to the public land trust administered by the  
21   department."



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

3       "(a) This section applies to all lands or interest therein  
4 owned or under the control of state departments and agencies  
5 classed as government or crown lands previous to August 15,  
6 1895, or acquired or reserved by the government upon or  
7 subsequent to that date by purchase, exchange, escheat, or the  
8 exercise of the right of eminent domain, or any other manner,  
9 including accreted lands not otherwise awarded, submerged lands,  
10 and lands beneath tidal waters that are suitable for  
11 reclamation, together with reclaimed lands that have been given  
12 the status of public lands under this chapter, including:

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

15       (2) Land to which the United States relinquished the  
16       absolute fee and ownership under section 91 of the  
17       Organic Act prior to the admission of Hawaii as a  
18       state of the United States;

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



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





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

## PART II

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

"§206E- Stadium development special fund; established.

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

(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 from any other source for purposes of the stadium development district;

(3) All proceeds from revenue bonds issued by the  
authority; and

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



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

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

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

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



1        (c) In establishing or amending fees or charges that  
2        generate receipts for deposit into the stadium development  
3        special fund, the authority shall be exempt from the public  
4        notice, public hearing, and gubernatorial approval requirements  
5        of chapter 91. The fees and charges may be established at an  
6        open meeting subject to the requirements of chapter 92. The  
7        fees and charges may include rental rates for events,  
8        facilities, equipment, parking, and services provided to other  
9        government agencies and to the public."

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

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

15       SECTION 8. 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 9. 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 housing and housing in transit-oriented developments;

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



1 facility systems, industrial relocation, and other  
2 activities;

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

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

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

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

18 SECTION 10. Section 206E-225, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 " [+]§206E-225[+] **Stadium development district governance;**  
21 **memorandum of agreement.** Notwithstanding [~~section~~] sections



206E-3[~~7~~,~~for~~] and 206E-4.1, the stadium authority established pursuant to section 109-1 shall have sole jurisdiction regarding matters affecting the stadium development district[~~7~~,~~the~~]; provided that the executive director of the Hawaii community development authority shall serve directly under the stadium authority for those matters. The executive director of the Hawaii community development authority, state comptroller, and the stadium authority shall execute a memorandum of agreement with the appropriate state agencies."

## PART III

SECTION 11. Section 36-27, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

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

- (1) Special out-of-school time instructional program fund  
under section 302A-1310;
- (2) School cafeteria special funds of the department of  
education;



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





1    [+] (16) [+]   Neurotrauma special fund under section 321H-4;  
2    [+] (17) [+]   Glass advance disposal fee established by section  
3                   342G-82;  
4    [+] (18) [+]   Center for nursing special fund under section 304A-  
5                   2163;  
6    [+] (19) [+]   Passenger facility charge special fund established  
7                   by section 261-5.5;  
8    [+] (20) [+]   Solicitation of funds for charitable purposes  
9                   special fund established by section 467B-15;  
10   [+] (21) [+]   Land conservation fund established by section  
11                   173A-5;  
12   [+] (22) [+]   Court interpreting services revolving fund under  
13                   section 607-1.5;  
14   [+] (23) [+]   Trauma system special fund under section 321-22.5;  
15   [+] (24) [+]   Hawaii cancer research special fund;  
16   [+] (25) [+]   Community health centers special fund;  
17   [+] (26) [+]   Emergency medical services special fund;  
18   [+] (27) [+]   Rental motor vehicle customer facility charge  
19                   special fund established under section 261-5.6;  
20   [+] (28) [+]   Shared services technology special fund under  
21                   section 27-43;



1    [+] (29) [+] Automated victim information and notification system  
2                   special fund established under section 353-136;  
3    [+] (30) [+] Deposit beverage container deposit special fund  
4                   under section 342G-104;  
5    [+] (31) [+] Hospital sustainability program special fund under  
6                   [+] section 346G-4[+];  
7    [+] (32) [+] Nursing facility sustainability program special fund  
8                   under [+] section 346F-4[+];  
9    [+] (33) [+] Hawaii 3R's school improvement fund under section  
10                  302A-1502.4;  
11   [+] (34) [+] After-school plus program revolving fund under  
12                  section 302A-1149.5; ~~and~~  
13   [+] (35) [+] Civil monetary penalty special fund under section  
14                  321-30.2[~~7~~]; and  
15       (36) Stadium development special fund under section  
16       206E- ,  
17 shall deduct five per cent of all receipts of all other special  
18 funds, which deduction shall be transferred to the general fund  
19 of the State and become general realizations of the State. All  
20 officers of the State and other persons having power to allocate  
21 or disburse any special funds shall cooperate with the director



1 in effecting these transfers. To determine the proper revenue  
2 base upon which the central service assessment is to be  
3 calculated, the director shall adopt rules pursuant to chapter  
4 91 for the purpose of suspending or limiting the application of  
5 the central service assessment of any fund. No later than  
6 twenty days prior to the convening of each regular session of  
7 the legislature, the director shall report all central service  
8 assessments made during the preceding fiscal year."

9 SECTION 12. Section 36-30, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

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

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

14 (2) School cafeteria special funds of the department of  
15 education;

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

17 (4) State educational facilities improvement special fund;

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

19 (6) Aloha Tower fund created by section 206J-17;

20 (7) Funds of the employees' retirement system created by  
21 section 88-109;



- 1           (8)   Hawaii hurricane relief fund established under chapter  
2                   431P;
- 3           (9)   Convention center enterprise special fund established  
4                   under section 201B-8;
- 5           (10)   Hawaii health systems corporation special funds and  
6                   the subaccounts of its regional system boards;
- 7           (11)   Tourism special fund established under section 201B-  
8                   11;
- 9           (12)   Universal service fund established under section 269-  
10                  42;
- 11          (13)   Emergency and budget reserve fund under section 328L-  
12                  3;
- 13          (14)   Public schools special fees and charges fund under  
14                  section 302A-1130;
- 15          (15)   Sport fish special fund under section 187A-9.5;
- 16   [+](16)[+]   Neurotrauma special fund under section 321H-4;
- 17   [+](17)[+]   Center for nursing special fund under section 304A-  
18                  2163;
- 19   [+](18)[+]   Passenger facility charge special fund established  
20                  by section 261-5.5;



1    [+] (19) [+] Court interpreting services revolving fund under  
2                   section 607-1.5;

3    [+] (20) [+] Trauma system special fund under section 321-22.5;

4    [+] (21) [+] Hawaii cancer research special fund;

5    [+] (22) [+] Community health centers special fund;

6    [+] (23) [+] Emergency medical services special fund;

7    [+] (24) [+] Rental motor vehicle customer facility charge  
8                   special fund established under section 261-5.6;

9    [+] (25) [+] Shared services technology special fund under  
10                  section 27-43;

11   [+] (26) [+] Nursing facility sustainability program special fund  
12                  established pursuant to [+]section 346F-4[+];

13   [+] (27) [+] Automated victim information and notification system  
14                  special fund established under section 353-136;

15   [+] (28) [+] Hospital sustainability program special fund under  
16                  [+]section 346G-4[+]; [~~and~~]

17   [+] (29) [+] Civil monetary penalty special fund under section  
18                  321-30.2[~~7~~]; and

19       (30) Stadium development special fund under section  
20       206E-\_\_\_\_,



1 shall be responsible for its pro rata share of the  
2 administrative expenses incurred by the department responsible  
3 for the operations supported by the special fund concerned."

4 PART IV

5 SECTION 13. Section 84-17, Hawaii Revised Statutes, is  
6 amended by amending subsection (d) to read as follows:

7 "(d) The financial disclosure statements of the following  
8 persons shall be public records and available for inspection and  
9 duplication:

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

15 (2) The directors of the state departments and their  
16 deputies, regardless of the titles by which the  
17 foregoing persons are designated; provided that with  
18 respect to the department of the attorney general, the  
19 foregoing shall apply only to the attorney general and  
20 the first deputy attorney general;

21 (3) The administrative director of the State;



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



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





1 (L) The board of directors of the Hawaii public  
2 housing authority established under section  
3 356D-3;

4 (M) The public utilities commission established under  
5 section 269-2; ~~and~~

6 (N) The commission on water resource management  
7 established under section 174C-7~~[-]~~; and

8 (O) The stadium authority established under section  
9 109-1."

10 PART V

11 SECTION 14. Act 268, Session Laws of Hawaii 2019, is  
12 amended by adding a new section to read as follows:

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

20 SECTION 15. 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 16. 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 authority for the  
6   stadium development district; provided that the appropriation  
7   made for the capital improvement project authorized by this  
8   section shall not lapse at the end of the fiscal year for which  
9   the appropriation is made; provided further that all moneys from  
10   the appropriation unencumbered as of June 30, [~~2022~~] 2024,  
11   shall lapse as of that date.

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

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



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

4 PART VI

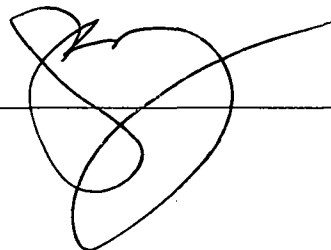
5 SECTION 17. General obligation bonds appropriated by Act  
6 268, Session Laws of Hawaii 2019, as amended by Act 4, Session  
7 Laws of Hawaii 2020, that have been allotted and encumbered  
8 prior to approval of this Act shall continue to be expended in  
9 accordance with the memorandum of agreement executed by and  
10 between the Hawaii community development authority, the stadium  
11 authority, and the department of accounting and general  
12 services.

13 PART VII

14 SECTION 18. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 19. This Act shall take effect upon its approval.

17  
INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of a large, stylized loop with a horizontal line extending to the right, crossing over the loop.

# S.B. NO. 1423

**Report Title:**

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

**Description:**

Establishes the stadium development district 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 Hawaii community development authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Broadens the representation of the stadium authority by adding two members to its membership. 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 pursuant to section 84-17(d), Hawaii Revised Statutes.

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

