
A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

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



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



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

3 All members except the director of finance, director of
4 transportation, county directors of planning and permitting, and
5 ~~[chairperson of the Hawaiian homes commission or their~~
6 ~~designees]~~ the director of business, economic development, and
7 tourism shall be appointed by the governor pursuant to section
8 26-34. The two at-large members nominated by the ~~[senate]~~
9 president of the senate and speaker of the house ~~[and the nine~~
10 ~~representatives of the respective community development~~
11 ~~districts]~~ of representatives shall each be appointed by the
12 governor from a list of ~~[three]~~ two nominees submitted for each
13 position by the nominating authority specified in this
14 subsection. The president of the senate and the speaker of the
15 house of representatives shall each submit a list of three
16 nominees for each district to the governor to fill the two
17 district representative positions on each community development
18 district. Of the nominees for each community development
19 district, one nominee shall meet the district residency
20 requirement, and one nominee shall meet the district small
21 business owner or nonprofit organization officer or director



1 requirement. For each community development district, the
2 governor shall appoint one member from a list of nominees
3 submitted by the president of the senate, and one member from a
4 list of nominees submitted by the speaker of the house of
5 representatives.

6 The authority shall be organized and shall exercise
7 jurisdiction as follows:

8 (1) For matters affecting the Heeia community development
9 district, the following members shall be considered in
10 determining quorum and majority and shall be eligible
11 to vote:

12 (A) The director of finance or the director's
13 designee;

14 (B) The director of transportation or the director's
15 designee;

16 (C) The director of business, economic development,
17 and tourism or the director's designee;

18 (D) The director of planning and permitting of the
19 city and county of Honolulu or the director's
20 designee;

21 [~~C~~] (E) The cultural specialist;



1 ~~[(D)]~~ (F) The ~~[three]~~ two at-large members; and

2 ~~[(E)]~~ (G) The ~~[three]~~ two representatives of the Heeia
3 community development district;

4 ~~[provided that the director of planning and permitting~~
5 ~~of the relevant county or the director's designee~~
6 ~~shall participate in these matters as an ex officio,~~
7 ~~nonvoting member and shall not be considered in~~
8 ~~determining quorum and majority;]~~

9 (2) For matters affecting the Kalaeloa community
10 development district, the following members shall be
11 considered in determining quorum and majority and
12 shall be eligible to vote:

13 (A) The director of finance or the director's
14 designee;

15 (B) The director of transportation or the director's
16 designee;

17 ~~(C)~~ The director of business, economic development,
18 and tourism or the director's designee;

19 ~~(D)~~ The director of planning and permitting of the
20 city and county of Honolulu or the director's
21 designee;



1 ~~[-C-]~~ (E) The cultural specialist;
2 ~~[-D-]~~ (F) The ~~[three]~~ two at-large members; and
3 ~~[-E-]~~ (G) The ~~[three]~~ two representatives of the
4 Kalaeloa community development district; and
5 ~~[provided that the director of planning and permitting~~
6 ~~of the relevant county and the chairperson of the~~
7 ~~Hawaiian homes commission, or their respective~~
8 ~~designees, shall participate in these matters as ex~~
9 ~~officio, nonvoting members and shall not be considered~~
10 ~~in determining quorum and majority,]~~

11 (3) For matters affecting the Kakaako community
12 development district, the following members shall be
13 considered in determining quorum and majority and
14 shall be eligible to vote:

15 (A) The director of finance or the director's
16 designee;

17 (B) The director of transportation or the director's
18 designee;

19 (C) The director of business, economic development,
20 and tourism or the director's designee;



1 (D) The director of planning and permitting of the
2 city and county of Honolulu or the director's
3 designee;

4 ~~[(C)]~~ (E) The cultural specialist;

5 ~~[(D)]~~ (F) The ~~[three]~~ two at-large members; and

6 ~~[(E)]~~ (G) The ~~[three]~~ two representatives of the

7 Kakaako community development district~~[-~~
8 ~~provided that the director of planning and permitting~~
9 ~~of the relevant county or the director's designee~~
10 ~~shall participate in these matters as an ex-officio,~~
11 ~~nonvoting member and shall not be considered in~~
12 ~~determining quorum and majority].~~

13 In the event of a vacancy, a member shall be appointed to
14 fill the vacancy in the same manner as the original appointment
15 within thirty days of the vacancy or within ten days of the
16 senate's rejection of a previous appointment, as applicable.

17 The terms of the director of finance, director of
18 transportation, county directors of planning and permitting, and
19 ~~[chairperson of the Hawaiian homes commission]~~ the director of
20 business, economic development, and tourism, or their respective
21 designees shall run concurrently with each official's term of



1 office. The terms of the appointed voting members shall be for
2 four years, commencing on July 1 and expiring on June 30[+
3 ~~provided that the initial terms of all voting members initially~~
4 ~~appointed pursuant to Act 61, Session Laws of Hawaii 2014, shall~~
5 ~~commence on March 1, 2015]~~. The governor shall provide for
6 staggered terms of the initially appointed voting members so
7 that the initial terms of four members selected by lot shall be
8 for two years, the initial terms of four members selected by lot
9 shall be for three years, and the initial terms of the remaining
10 five members shall be for four years.

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

13 Notwithstanding section 92-15, a majority of all eligible
14 voting members as specified in this subsection shall constitute
15 a quorum to do business, and the concurrence of a majority of
16 all eligible voting members as specified in this subsection
17 shall be necessary to make any action of the authority valid.
18 All members shall continue in office until their respective
19 successors have been appointed and qualified. Except as herein
20 provided, no member appointed under this subsection shall be an
21 officer or employee of the State or its political subdivisions.



1 For purposes of this section, "small business" means a
2 business [~~which~~] that is independently owned and [~~which~~] that is
3 not dominant in its field of operation."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval;
7 provided that the existing representatives of the Heeiea
8 community development district, Kalaeloa community development
9 district, and Kakaako community development district shall
10 continue to serve until the expiration of their respective
11 terms.



Report Title:

Hawaii Community Development Authority; Nomination and
Appointment of Representative Members

Description:

Removes county councils as the nominating authority for members of the Hawaii Community Development Authority who serve as representatives of the Heeia, Kalaeloa, and Kakaako community development districts. Provides that the President of the Senate and the Speaker of the House of Representatives shall each nominate representatives of each of the three community development districts. Adjusts the membership of the Hawaii Community Development Authority. (SD1)

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

