
A BILL FOR AN ACT

RELATING TO THE STADIUM AUTHORITY.

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

1 SECTION 1. Chapter 109, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§109- Definitions. As used in this chapter:

5 "Department" means the department of business, economic
6 development, and tourism.

7 "Director" means the director of business, economic
8 development, and tourism."

9 SECTION 2. Section 40-84, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§40-84 Petty cash funds; regulations.** Whenever the head
12 of any state department, board, bureau, commission, or other
13 agency deems it necessary to have a petty cash fund for the
14 proper transaction of the business of the agency, a written
15 application therefor shall be made to the comptroller setting
16 forth the details covering the purposes and uses of and for the
17 fund. The comptroller, before issuing a state warrant for that



1 purpose, shall determine whether or not the business of the
2 agency warrants the establishment of such a fund, and if the
3 comptroller is satisfied that such a fund is necessary, the
4 comptroller shall issue a state warrant to such agency for an
5 amount as the comptroller shall determine, not to exceed the sum
6 of \$100,000, except that this limitation of \$100,000 shall not
7 apply to the University of Hawaii and, ~~[the stadium authority.]~~
8 for purposes of stadium facilities and the stadium development
9 district under chapter 109, the department of business, economic
10 development, and tourism.

11 The comptroller may prescribe such rules as the comptroller
12 may deem necessary for the proper administration and
13 accountability of these funds."

14 SECTION 3. Section 84-17, Hawaii Revised Statutes, is
15 amended by amending subsection (d) to read as follows:

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

19 (1) The governor, the lieutenant governor, the members of
20 the legislature, candidates for and delegates to the
21 constitutional convention, the trustees of the office



1 of Hawaiian affairs, and candidates for state elective
2 offices;

3 (2) The directors of the state departments and their
4 deputies, regardless of the titles by which the
5 foregoing persons are designated; provided that with
6 respect to the department of the attorney general, the
7 foregoing shall apply only to the attorney general and
8 the first deputy attorney general;

9 (3) The administrative director of the State;

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

13 (5) The members of the board of education and the
14 superintendent, the deputy superintendent, the state
15 librarian, and the deputy state librarian of the
16 department of education;

17 (6) The administrative director and the deputy director of
18 the courts;

19 (7) The administrator and the assistant administrator of
20 the office of Hawaiian affairs; and



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



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

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

19 "§109-2 [Stadium authority,] Department of business,
 20 economic development, and tourism; jurisdiction; powers and
 21 duties. The department shall have jurisdiction over stadium



1 facilities and the stadium development district. The powers and
2 duties of the [~~stadium authority~~] department as they relate to
3 stadium facilities and the stadium development district shall be
4 as follows:

- 5 (1) To repair, maintain, and operate stadium facilities
6 and the stadium development district, including:
 - 7 (A) Repairs, maintenance, operations, and demolition
8 of existing stadium facilities;
 - 9 (B) Operations and maintenance of a new stadium; and
 - 10 (C) Contractual payments to developers, contractors,
11 or management contractors engaged by the [~~stadium~~
12 ~~authority;~~] department through its director;
- 13 (2) To coordinate in planning, design, and construction
14 activities, including on-site repairs, within the
15 stadium development district;
- 16 (3) To acquire and hold title to real property;
- 17 (4) To prescribe and collect rents, fees, and charges for
18 the use or enjoyment of the stadium, facilities
19 related to the stadium, and real property held by the
20 [~~stadium authority,~~] department, including entering
21 into leases, contracts, sponsorship and advertising



- 1 agreements, food and beverage agreements, concession
2 agreements, parking agreements, or other development
3 and use agreements that may apply; provided that
4 leases shall not exceed a term of ninety-nine years;
- 5 (5) To make and execute contracts and other instruments
6 necessary or convenient to exercise [~~its~~] the
7 department's powers under this chapter and subject to
8 any limitations in this chapter, to exercise all
9 powers necessary, incidental, or convenient to carry
10 out and effectuate the purposes and provisions of this
11 chapter;
- 12 (6) To adopt, amend, and repeal, in accordance with
13 chapter 91, rules [~~it~~] the department may deem
14 necessary to effectuate this chapter and in connection
15 with its projects, operations, and facilities;
- 16 (7) To appoint officers, agents, and employees, prescribe
17 their duties and qualifications, and fix their
18 salaries, without regard to chapters 76 and 89, to
19 manage the stadium, the stadium development district,
20 and [~~its~~] contractors; and



1 (8) To plan, promote, and market the stadium and related
2 facilities."

3 SECTION 5. Section 109-3, Hawaii Revised Statutes, is
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) There is created a special fund to be known as the
6 stadium special fund into which funds collected by the
7 [authority] department pursuant to section 109-3.5 shall be
8 deposited. The stadium special fund shall be applied, used, and
9 disposed of for the payment of:

10 (1) The expenses of the operation, maintenance, promotion,
11 and management of; and

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

14 the stadium and related facilities; provided that all services
15 required for the stadium and related facilities shall be
16 performed by persons hired on contract or otherwise, without
17 regard for chapter 76; provided further that the [authority]
18 department shall report to the legislature all receipts and
19 expenditures of the stadium special fund account twenty days
20 prior to the convening of each regular session until the stadium
21 special fund is closed pursuant to subsection (c).



1 (b) Notwithstanding subsection (a), all moneys collected
2 by the [~~stadium authority~~] department after June 30, 2021, shall
3 be deposited into the stadium development special fund pursuant
4 to section 109-3.5."

5 SECTION 6. Section 109-3.5, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[~~§~~109-3.5[~~§~~] **Stadium development special fund;**

8 **established.** (a) There is established in the state treasury
9 the stadium development special fund, into which funds collected
10 by the [~~stadium authority~~] department for stadium facilities and
11 the stadium development district shall be deposited, including:

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

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



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

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

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

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

12 (2) Food and beverage service and parking service provided
13 at the stadium facility; the sale of souvenirs, logo
14 items, or other items; any future major repair,
15 maintenance, and improvement of the stadium facility
16 as a commercial enterprise or as a world-class
17 facility for athletic events, entertainment, or public
18 events; and marketing the facility pursuant to section
19 109-2(4) and (8); and

20 (3) Contractual payments to developers or contractors
21 engaged by the [~~stadium authority~~] department for the



1 purpose of redeveloping the site and related on- and
2 off-site infrastructure that benefits the stadium
3 development district and its development guidance
4 policies."

5 SECTION 7. Section 109-4, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§109-4 Employee benefits.** All full-time employees of the
8 ~~[authority]~~ department for purposes of this chapter shall be
9 entitled to any benefit program generally applicable to the
10 officers and employees of the State."

11 SECTION 8. Section 109-5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§109-5 Security personnel, powers.** The person employed
14 as the chief security officer by the ~~[authority]~~ department
15 shall have all of the powers of police officers, including the
16 power of arrest; provided that the powers shall remain in force
17 and in effect only while the person is in the actual performance
18 of the person's duties at the stadium."

19 SECTION 9. Section 109-6, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "[§109-6] **Stadium special account.** The [stadium
2 authority] department is authorized to set up a special account
3 into which shall be deposited all receipts collected by the
4 [authority] department from the sale of admission tickets for
5 events held at the stadium, including any money deposited with
6 the [authority] department by users to assure the payment of
7 charges for the use of the stadium. Money in the account shall
8 be kept in a depository as defined in section 38-1.
9 Disbursements from the account shall be made in accordance with
10 procedures adopted by the [authority] department and approved by
11 the director of finance."

12 SECTION 10. Section 109-7, Hawaii Revised Statutes, is
13 amended by amending subsections (b) and (c) to read as follows:

14 "(b) Any person violating any rule of the [stadium
15 authority] department regulating conduct on the stadium premises
16 shall be guilty of a petty misdemeanor punishable by a fine not
17 exceeding \$1,000, or imprisonment not exceeding thirty days, or
18 both.

19 (c) Any person violating any rule of the [stadium
20 authority] department regulating parking or traffic on the
21 stadium premises shall have committed a traffic infraction as



1 set forth in chapter 291D, the adjudication of which shall be
2 subject to the provisions contained therein."

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

5 **"§171-2 Definition of public lands.** "Public lands" means
6 all lands or interest therein in the State classed as government
7 or crown lands previous to August 15, 1895, or acquired or
8 reserved by the government upon or subsequent to that date by
9 purchase, exchange, escheat, or the exercise of the right of
10 eminent domain, or in any other manner; including lands accreted
11 after May 20, 2003, and not otherwise awarded, submerged lands,
12 and lands beneath tidal waters that are suitable for
13 reclamation, together with reclaimed lands that have been given
14 the status of public lands under this chapter, except:

- 15 (1) Lands designated in section 203 of the Hawaiian Homes
16 Commission Act, 1920, as amended;
- 17 (2) Lands set aside pursuant to law for the use of the
18 United States;
- 19 (3) Lands being used for roads and streets;
- 20 (4) Lands to which the United States relinquished the
21 absolute fee and ownership under section 91 of the



1 Hawaiian Organic Act before the admission of Hawaii as
2 a state of the United States unless subsequently
3 placed under the control of the board of land and
4 natural resources and given the status of public lands
5 in accordance with the state constitution, the
6 Hawaiian Homes Commission Act, 1920, as amended, or
7 other laws;

8 (5) Lands to which the University of Hawaii holds title;

9 (6) Non-ceded lands set aside by the governor to the
10 Hawaii housing finance and development corporation or
11 lands to which the Hawaii housing finance and
12 development corporation in its corporate capacity
13 holds title;

14 (7) Lands to which the Hawaii community development
15 authority in its corporate capacity holds title;

16 (8) Lands set aside by the governor to the Hawaii public
17 housing authority or lands to which the Hawaii public
18 housing authority in its corporate capacity holds
19 title;

20 (9) Lands to which the department of agriculture holds
21 title by way of foreclosure, voluntary surrender, or



- 1 otherwise, to recover moneys loaned or to recover
2 debts otherwise owed the department under chapter 167;
- 3 (10) Lands that are set aside by the governor to the Aloha
4 Tower development corporation, lands leased to the
5 Aloha Tower development corporation by any department
6 or agency of the State, or lands to which the Aloha
7 Tower development corporation holds title in its
8 corporate capacity;
- 9 (11) Lands that are set aside by the governor to the
10 agribusiness development corporation, lands leased to
11 the agribusiness development corporation by any
12 department or agency of the State, or lands to which
13 the agribusiness development corporation in its
14 corporate capacity holds title;
- 15 (12) Lands to which the Hawaii technology development
16 corporation in its corporate capacity holds title;
- 17 (13) Lands to which the department of education holds
18 title;
- 19 (14) Lands to which the [~~stadium authority~~] department of
20 business, economic development, and tourism holds



1 title[+] for purposes of administering chapter 109 and
2 part IX of chapter 206E; and

3 (15) Lands to which the school facilities authority holds
4 title;

5 provided that, except as otherwise limited under federal law and
6 except for state land used as an airport as defined in section
7 262-1, public lands shall include the air rights over any
8 portion of state land upon which a county mass transit project
9 is developed after July 11, 2005; provided further that if the
10 lands pursuant to paragraph (6) are no longer needed for housing
11 finance and development purposes, the lands shall be returned to
12 the agency from which they were obtained; provided further that
13 if the lands pursuant to paragraph (14) are no longer needed for
14 the stadium development district or related purposes, the lands
15 shall be returned to the public land trust administered by the
16 department."

17 SECTION 12. Section 171-64.7, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

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



1 1895, or acquired or reserved by the government upon or
2 subsequent to that date by purchase, exchange, escheat, or the
3 exercise of the right of eminent domain, or any other manner,
4 including accreted lands 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, including:

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

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

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

15 (4) Non-ceded land set aside by the governor to the Hawaii
16 housing finance and development corporation or land to
17 which the Hawaii housing finance and development
18 corporation in its corporate capacity holds title;

19 (5) Land to which the department of agriculture holds
20 title by way of foreclosure, voluntary surrender, or



- 1 otherwise, to recover moneys loaned or to recover
2 debts otherwise owed the department under chapter 167;
- 3 (6) Land that is set aside by the governor to the Aloha
4 Tower development corporation or land to which the
5 Aloha Tower development corporation holds title in its
6 corporate capacity;
- 7 (7) Land that is set aside by the governor to the
8 agribusiness development corporation or land to which
9 the agribusiness development corporation in its
10 corporate capacity holds title;
- 11 (8) Land to which the Hawaii technology development
12 corporation in its corporate capacity holds title;
- 13 (9) Land to which the department of education holds title;
- 14 (10) Land to which the Hawaii public housing authority in
15 its corporate capacity holds title;
- 16 (11) Land to which the [~~stadium authority~~] department of
17 business, economic development, and tourism holds
18 title[+] for purposes of administering chapter 109 and
19 part IX of chapter 206E; and
- 20 (12) Land to which the school facilities authority holds
21 title."



1 SECTION 13. Chapter 206E, part IX, Hawaii Revised
2 Statutes, is amended to read as follows:

3 " ~~[+]~~ PART IX. ~~[+]~~ STADIUM DEVELOPMENT DISTRICT

4 §206E-221 Stadium development district; purpose; findings.

5 The legislature finds that the aloha stadium and lands under the
6 jurisdiction of the ~~[stadium authority and]~~ department of
7 business, economic development, and tourism that were previously
8 also under the jurisdiction of the stadium authority are
9 underutilized. The stadium facility has been in dire need of
10 significant repair and maintenance for many years. The stadium
11 authority has considered repairing, upgrading, and replacing the
12 existing facility to optimize the public's enjoyment and ensure
13 public safety. Redeveloping, renovating, or improving these
14 public lands in a manner that will provide suitable
15 recreational, residential, educational, and commercial areas,
16 where the public can live, congregate, recreate, attend schools,
17 and shop, as part of a thoughtfully integrated experience, is in
18 the best interests of the State and its people.

19 This part establishes the stadium development district to
20 make optimal use of public land for the economic, residential,
21 educational, and social benefit of the people of Hawaii.



1 The legislature finds that the jurisdiction of the
2 [authority] department shall include development within the
3 stadium development district. Any development within the
4 district shall require a permit from the [authority.]
5 department.

6 **§206E-222 Definitions.** As used in this part, unless the
7 context otherwise requires:

8 ~~["Authority" or "stadium authority" means the stadium~~
9 ~~authority established pursuant to section 109-1.]~~

10 "Department" means the department of business, economic
11 development, and tourism.

12 "District" means the stadium development district
13 established by this part.

14 **§206E-223 District; established; boundaries.** (a) The
15 stadium development district is established and shall be
16 composed of all real property under the jurisdiction of the
17 ~~[stadium authority established pursuant to section 109-1.]~~
18 department that was under the jurisdiction of the stadium
19 authority prior to July 1, 2023. The ~~[stadium authority]~~
20 department shall have sole jurisdiction over the development of
21 the stadium development district.



1 (b) The [~~authority~~] department shall facilitate the
2 development of all property belonging to the State within the
3 district; provided that development is carried out in accordance
4 with any county transit-oriented development plans for lands
5 surrounding the district. In addition to any other duties that
6 the [~~authority~~] department may have pursuant to this chapter[~~7~~]
7 and chapter 109, the [~~authority's~~] department's duties shall
8 include:

- 9 (1) Coordinating with the federal government regarding the
10 ownership and use of, or restrictions on, properties
11 within the district that were previously owned or are
12 currently owned by the federal government;
- 13 (2) Coordinating with other state entities during the
14 conveyance of properties and conducting remediation
15 activities for the property belonging to the State
16 within the district;
- 17 (3) Developing the infrastructure necessary to support the
18 development of all property belonging to the State
19 within the district; and
- 20 (4) Providing, to the extent feasible, maximum opportunity
21 for the reuse of property belonging to the State



1 within the district by private enterprise or state and
2 county government.

3 **§206E-224 Development guidance policies.** The following
4 shall be the development guidance policies generally governing
5 the ~~[authority's]~~ department's actions in the district:

6 (1) Development shall be in accordance with stadium
7 development district development plans adopted by the
8 ~~[stadium authority]~~ department for the development of
9 the district; provided that the plan or plans shall
10 consider any county development plan and allow for
11 public input in the plan's preparation and updates;

12 (2) The ~~[authority, upon the concurrence of a majority of~~
13 ~~its voting members,]~~ department may modify and make
14 changes to a transit-oriented development plan with
15 respect to the district to respond to changing
16 conditions; provided that before amending a transit-
17 oriented development plan, the ~~[authority]~~ department
18 shall conduct a public hearing to inform the public of
19 the proposed changes and receive public input;

20 (3) The ~~[authority]~~ department shall seek to promote
21 economic development and employment opportunities by



1 fostering diverse land uses and encouraging private
2 sector investments that use the opportunities
3 presented by the high-capacity transit corridor
4 project consistent with the needs of the public,
5 including mixed-use housing and housing in transit-
6 oriented developments;

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

20 (5) Archaeological, historic, and cultural sites shall be
21 preserved and protected in accordance with chapter 6E;



- 1 (6) Endangered species of flora and fauna shall be
2 preserved to the extent required by law;
- 3 (7) Land use and development activities within the
4 district shall be coordinated with and, to the extent
5 possible, complement existing county and state
6 policies, plans, and programs affecting the district;
7 and
- 8 (8) Public facilities within the district shall be
9 planned, located, and developed to support the
10 development policies established by this chapter for
11 the district and rules adopted pursuant to this
12 chapter.

13 **§206E-225 Stadium development district governance;**
14 **memorandum of agreement.** Notwithstanding sections 206E-3 and
15 206E-4.1, the [~~stadium authority established pursuant to section~~
16 ~~409-1~~] department shall have sole jurisdiction regarding matters
17 affecting the stadium development district; provided that the
18 Hawaii community development authority[+] and department [of
19 ~~business, economic development, and tourism; and stadium~~
20 ~~authority~~] shall enter into a memorandum of agreement regarding



1 the implementation of responsibilities of the respective
2 agencies.

3 ~~+~~§206E-226~~+~~ **Annual comprehensive report.** Not less
4 than twenty days prior to the convening of each regular session
5 of the legislature, the ~~authority~~ department shall submit to
6 the legislature an annual comprehensive status report on the
7 progress of development within the stadium development
8 district."

9 SECTION 14. Section 226-64, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) The Hawaii interagency council for transit-oriented
12 development shall be composed of the following members:

- 13 (1) Director of the office of planning and sustainable
14 development, who shall serve as co-chair;
- 15 (2) Executive director of the Hawaii housing finance and
16 development corporation, who shall serve as co-chair;
- 17 (3) Chief of staff, office of the governor;
- 18 (4) Chairperson of the board of land and natural
19 resources;
- 20 (5) Director of transportation;
- 21 (6) Comptroller;



- 1 (7) Director of health;
- 2 (8) Director of human services;
- 3 (9) Director of law enforcement;
- 4 (10) Chairperson of the Hawaiian homes commission;
- 5 ~~[(11) Chairperson of the stadium authority;~~
- 6 ~~(12)]~~ (11) President of the University of Hawaii;
- 7 ~~[(13)]~~ (12) Superintendent of education;
- 8 ~~[(14)]~~ (13) Executive director of the Hawaii community
- 9 development authority;
- 10 ~~[(15)]~~ (14) Executive director of the Hawaii public housing
- 11 authority;
- 12 ~~[(16)]~~ (15) One member of the house of representatives to be
- 13 designated by the speaker of the house of
- 14 representatives; provided that the speaker of the
- 15 house of representatives may designate a second member
- 16 of the house of representatives to serve as an
- 17 alternate;
- 18 ~~[(17)]~~ (16) One member of the senate to be designated by the
- 19 president of the senate; provided that the president
- 20 of the senate may designate a second member of the
- 21 senate to serve as an alternate;



- 1 [~~(18)~~] (17) The mayor of each county;
- 2 [~~(19)~~] (18) A representative of the Honolulu field office of
- 3 the United States Department of Housing and Urban
- 4 Development, who shall be requested to serve on a
- 5 nonvoting[,] ex officio basis by the governor;
- 6 [~~(20)~~] (19) A representative of the business community, to
- 7 be designated by the governor;
- 8 [~~(21)~~] (20) A representative of the community who is a
- 9 housing advocate, to be designated by the governor;
- 10 and
- 11 [~~(22)~~] (21) A representative of the community with
- 12 experience in housing and real estate development, to
- 13 be designated by the governor."

14 SECTION 15. Section 445-112, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§445-112 Where and when permitted.** No person shall
17 erect, maintain, or use a billboard or display any outdoor
18 advertising device, except as provided in this section:

- 19 (1) The display of official notices and signs, posted by
- 20 order of any court or public office, or posted by any
- 21 public officer in the performance of a public duty, or



1 posted by any person required to do so by any law or
2 rule having the force of law;

3 (2) Any outdoor advertising device announcing a meeting or
4 series of meetings is not prohibited by this section
5 if displayed on the premises where the meeting or
6 series of meetings will be or is being held. Meeting,
7 as used in this section, includes all meetings
8 regardless of whether open to the public or conducted
9 for profit and includes but is not limited to sports
10 events, conventions, fairs, rallies, plays, lectures,
11 concerts, motion pictures, dances, and religious
12 services;

13 (3) Any outdoor advertising device indicating that the
14 building or premises on which it is displayed is the
15 residence, office, or place of business, commercial or
16 otherwise, of any individual, partnership, joint
17 venture, association, club, or corporation, and
18 stating the nature of the business;

19 (4) Any outdoor advertising device that advertises
20 property or services that may be bought, rented, sold,
21 or otherwise traded in on the premises or in the



1 building on which the outdoor advertising device is
2 displayed;

3 (5) The offering for sale of merchandise bearing
4 incidental advertising, including books, magazines,
5 and newspapers, in any store, newsstand, vending
6 machine, rack, or other place where such merchandise
7 is regularly sold;

8 (6) Any outdoor advertising device offering any land,
9 building, or part of a building for sale or rent, if
10 displayed on the property so offered or on the
11 building so offered;

12 (7) Any outdoor advertising device carried by persons or
13 placed upon vehicles used for the transportation of
14 persons or goods, except as provided under section
15 445-112.5, relating to vehicular advertising devices;

16 (8) Any outdoor advertising device warning the public of
17 dangerous conditions that they may encounter in nearby
18 sections of streets, roads, paths, public places,
19 power lines, gas and water mains, or other public
20 utilities;



- 1 (9) Signs serving no commercial purpose that indicate
2 places of natural beauty, or of historical or cultural
3 interest and that are made according to designs
4 approved by the department of business, economic
5 development, and tourism;
- 6 (10) Any outdoor advertising device or billboard erected,
7 placed, or maintained upon a state office building, if
8 erected, placed, or maintained by authority of a state
9 agency, department, or officer for the sole purpose of
10 announcing cultural or educational events within the
11 State, and if the design and location thereof has been
12 approved by the department of business, economic
13 development, and tourism;
- 14 (11) Signs urging voters to vote for or against any person
15 or issue, may be erected, maintained, and used, except
16 where contrary to or prohibited by law;
- 17 (12) Signs stating that a residence that is offered for
18 sale, lease, or rent is open for inspection at the
19 actual time the sign is displayed and showing the
20 route to the residence; provided that the sign
21 contains no words or designs other than the words



1 "Open House", the address of the residence, the name
2 of the person or agency responsible for the sale, and
3 an arrow or other directional symbol and is removed
4 during such time as the residence is not open for
5 inspection;

6 (13) The erection, maintenance, and use of billboards if
7 the billboard is used solely for outdoor advertising
8 devices not prohibited by this section;

9 (14) The continued display and maintenance of outdoor
10 advertising devices actually displayed on
11 July 8, 1965, in accordance with all laws and
12 ordinances immediately theretofore in effect;

13 (15) The continued maintenance of any billboard actually
14 maintained on July 8, 1965, and the display thereon of
15 the same or new advertising devices, all in accordance
16 with all laws and ordinances in effect immediately
17 prior to July 9, 1965;

18 (16) Any outdoor advertising device, displayed with the
19 authorization of the University of Hawaii, on any
20 scoreboard of any stadium owned by the university. An
21 outdoor advertising device displayed under this



1 paragraph shall be on the front of the scoreboard and
2 face the interior of the stadium;

3 (17) Any temporary outdoor advertising device attached to
4 or supported by the structure of any stadium owned by
5 the University of Hawaii, located within and facing
6 the interior of the stadium, and authorized to be
7 displayed by the university. For the purpose of this
8 paragraph, "temporary" means displayed for a short
9 period before the official start of organized athletic
10 competition, during the organized athletic
11 competition, and for a short period after the official
12 end of the organized athletic competition;

13 (18) Any outdoor advertising device, displayed with the
14 authorization of the [~~stadium authority,~~] department
15 of business, economic development, and tourism, on any
16 scoreboard of any stadium operated by the [~~stadium~~
17 ~~authority.~~] department. An outdoor advertising device
18 displayed under this paragraph shall be on the front
19 of the scoreboard and face the interior of the
20 stadium; and



1 (19) Any outdoor advertising device, displayed with the
2 authorization of the city and county of Honolulu, on
3 the scoreboard of the Waipio peninsula soccer stadium.

4 The outdoor advertising device shall be:

- 5 (A) Attached to the bottom of the scoreboard;
- 6 (B) No longer than the width of the scoreboard; and
- 7 (C) No higher than twenty-five per cent of the
8 scoreboard height.

9 The scoreboard shall be no larger than twenty-eight
10 feet by ten feet. Any outdoor advertising device
11 displayed pursuant to this paragraph shall be on the
12 front of the scoreboard and face the interior of the
13 stadium; provided that the outdoor advertising device
14 shall not be visible from any thoroughfare."

15 SECTION 16. Section 109-1, Hawaii Revised Statutes, is
16 repealed.

17 [~~"§109-1 Stadium authority; appointment, terms. (a)~~
18 ~~There shall be within the department of business, economic~~
19 ~~development, and tourism for administrative purposes only, a~~
20 ~~stadium authority whose responsibility shall be to maintain,~~
21 ~~operate, and manage the stadium development district. The~~



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1 ~~authority shall consist of eleven members. Eight members shall~~
2 ~~be appointed by the governor in the manner prescribed by section~~
3 ~~26-34.~~

4 ~~Of the eight public members:~~

5 ~~(1) One member shall be designated as the Aiea community~~
6 ~~representative and be a resident of one of the~~
7 ~~following areas:~~

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

11 ~~(i) Easterly along said bridge to Salt Lake~~
12 ~~boulevard;~~

13 ~~(ii) Southeasterly along said boulevard to~~
14 ~~Luapele drive;~~

15 ~~(iii) Westerly along said drive to Fleet place;~~

16 ~~(iv) Westerly along said place to Ulithi street;~~

17 ~~(v) Southwesterly along said street to Luapele~~
18 ~~road;~~

19 ~~(vi) Westerly along said road to Ulihi road;~~

20 ~~(vii) Westerly along said road to Makalapa drive;~~



- 1 ~~(viii) Southwesterly along said drive to Halawa~~
- 2 ~~drive;~~
- 3 ~~(ix) Northwesterly along said drive to Kamehameha~~
- 4 ~~highway;~~
- 5 ~~(x) Northerly along said highway to Halawa~~
- 6 ~~stream;~~
- 7 ~~(xi) Westerly along said stream to the shoreline;~~
- 8 ~~and~~
- 9 ~~(xii) Northerly along said shoreline to its~~
- 10 ~~intersection with Admiral Clarey (Ford~~
- 11 ~~Island) Bridge;~~
- 12 ~~(B) The area beginning at the intersection of Kaonohi~~
- 13 ~~street and H-1 freeway and running:~~
- 14 ~~(i) Southeasterly along said freeway to the~~
- 15 ~~Moanalua freeway - Kamehameha highway~~
- 16 ~~connector;~~
- 17 ~~(ii) Northwesterly along said highway connector~~
- 18 ~~to Kamehameha highway;~~
- 19 ~~(iii) Northwesterly along said highway to Aiea~~
- 20 ~~stream;~~



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- 1 ~~(iv) Southerly along said stream to the~~
- 2 ~~shoreline;~~
- 3 ~~(v) Northwesterly along said shoreline to~~
- 4 ~~Kalauao stream;~~
- 5 ~~(vi) Northeasterly along said stream to~~
- 6 ~~Kamehameha highway;~~
- 7 ~~(vii) Northwesterly along said highway to Kaonohi~~
- 8 ~~street; and~~
- 9 ~~(viii) Northeasterly along said street to its~~
- 10 ~~intersection with H-1 freeway; 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 the unnamed~~
- 20 ~~road;~~
- 21 ~~(v) Northerly along said road to Icarus way;~~



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



- 1 ~~(M) Southeasterly along said boulevard to the former~~
2 ~~street entrance to U.S. Naval Reservation;~~
3 ~~(N) Southwesterly along said feature to Reeves loop;~~
4 ~~(O) Southwesterly along said loop to Radford drive;~~
5 ~~(P) Westerly along said drive to H-1 freeway; and~~
6 ~~(Q) Northerly along said freeway to its intersection~~
7 ~~with Moanalua freeway (H-201).~~

8 ~~Each public member of the authority shall have been a citizen of~~
9 ~~the United States and a resident of the State for at least five~~
10 ~~years next preceding the member's appointment. The remaining~~
11 ~~three members shall include the director of business, economic~~
12 ~~development, and tourism or the director's designee, who shall~~
13 ~~be an ex officio voting member, and the president of the~~
14 ~~University of Hawaii and superintendent of education, or their~~
15 ~~designees, who shall be ex officio nonvoting members of the~~
16 ~~authority.~~

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

20 ~~(1) Of the members initially appointed, three members~~
21 ~~shall serve for four years, three members shall serve~~



1 ~~for three years, and the remaining three members shall~~
2 ~~serve for two years; and~~

3 ~~(2) The terms of the members added by Act 146, Session~~
4 ~~Laws of Hawaii 2021, shall commence on July 1, 2021.~~

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

9 ~~(c) The members of the authority shall serve without~~
10 ~~compensation and shall be allowed their actual and necessary~~
11 ~~expenses incurred in the performance of their duties."]~~

12 SECTION 17. All rights, powers, functions, and duties of
13 the stadium authority are transferred to the department of
14 business, economic development, and tourism.

15 All employees who occupy civil service positions and whose
16 functions are transferred to the department of business,
17 economic development, and tourism by this Act shall retain their
18 civil service status, whether permanent or temporary. Employees
19 shall be transferred without loss of salary, seniority (except
20 as prescribed by applicable collective bargaining agreements),
21 retention points, prior service credit, any vacation and sick



1 leave credits previously earned, and other rights, benefits, and
2 privileges, in accordance with state personnel laws and this
3 Act; provided that the employees possess the minimum
4 qualifications and public employment requirements for the class
5 or position to which transferred or appointed, as applicable;
6 provided further that subsequent changes in status may be made
7 pursuant to applicable civil service and compensation laws.

8 Any employee who, prior to this Act, is exempt from civil
9 service and is transferred as a consequence of this Act may
10 retain the employee's exempt status, but shall not be appointed
11 to a civil service position as a consequence of this Act. An
12 exempt employee who is transferred by this Act shall not suffer
13 any loss of prior service credit, vacation or sick leave credits
14 previously earned, or other employee benefits or privileges as a
15 consequence of this Act; provided that the employees possess
16 legal and public employment requirements for the position to
17 which transferred or appointed, as applicable; provided further
18 that subsequent changes in status may be made pursuant to
19 applicable employment and compensation laws. The director of
20 business, economic development, and tourism may prescribe the



1 duties and qualifications of these employees and fix their
2 salaries without regard to chapter 76, Hawaii Revised Statutes.

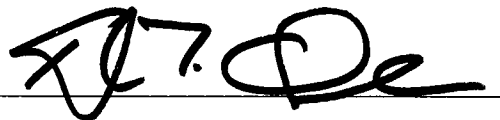
3 SECTION 18. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the stadium authority relating to the
7 functions transferred to the department of business, economic
8 development, and tourism shall be transferred with the functions
9 to which they relate.

10 SECTION 19. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 20. This Act shall take effect on July 1, 2023.

13

INTRODUCED BY:



JAN 25 2023



H.B. NO. 1361

Report Title:

Stadium Authority; Stadium Development District; DBEDT;
Transfer; Repeal

Description:

Transfers powers, duties, and functions of stadium authority to DBEDT. Repeals stadium authority.

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

