

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

August 27, 2021

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No. 21OD-059

Oahu

Cancellation of Governor's Executive Order No. 3427; Issuance of Quitclaim Deed to the Stadium Authority; Aiea, Ewa, Oahu, Tax Map Key: (1) 9-9-003:055, 061, 070, & 071.

APPLICANT:

Stadium Authority (SA).

LEGAL REFERENCE:

Sections 171-11, 64.7 and -95, Hawaii Revised Statutes, as amended; and Act 268, Session Laws of Hawaii (SLH) 2019 and Act 146, SLH 2021.

LOCATION:

Portion of Government lands situated at Aiea, Ewa, Oahu, identified by Tax Map Key: (1) 9-9-003:055, 061, 070, & 071, as shown on the map attached as **Exhibit A**.

AREA:

99.401 acres, more or less.

ZONING:

State Land Use District: Urban

City & County of Honolulu LUO: R-5

TRUST LAND STATUS:

Acquired after Statehood

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 3427, setting aside to the Stadium Authority for the Aloha Stadium purposes.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule (HAR) § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1 that states, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," and Item 37 that states, "transfer of title to land." (**Exhibit B**)

DCCA VERIFICATION:

Not applicable. Government agency.

APPLICANT REQUIREMENTS:

None

REMARKS:

SA is planning to redevelop the subject property into the New Aloha Stadium Entertainment District (NASED), with a new multi-sport stadium serving as the centerpiece for a mixed-use real estate development.

Act 268, SLH 2019, authorized the transfer of the fee simple interest of all lands under the jurisdiction of SA and all existing improvements thereon to SA.

Pursuant to Act 146, SLH 2021, which provides the legal authority for SA to acquire and hold title to real property, SA is the lead agency for the development of the subject property.

Section 4 of Act 146, SLH 2021 excludes the subject property from the definition of public lands defined in §171-2, HRS, provided further that if the subject property is no longer needed for the stadium development district or related purposes, the property shall be returned to the public land trust.

According to the request dated July 13, 2021 (**Exhibit C**) from the Department of Accounting and General Services (DAGS), on behalf of SA, the transfer will allow SA to

control the procurement and execution of leases and development agreements which are necessary to generate revenue to sustain the construction, maintenance, and operations of the new stadium district development. Act 268, SLH 2019 and Act 146, 2021 are also attached as **Exhibits D** and **E**, respectively.

Staff did not solicit comments for the request for fee title transfer as it was mandated by the above-mentioned Acts.

DAGS is planning to concurrently issue a request for proposals (RFP) covering the future development, with the award occurring early next year. It is anticipated that the document for the requested transfer will not be consummated before the RFP stage. Therefore, staff recommends the Board authorize the issuance of RFP under today's request. Further, DAGS requests authorization to "subdivide the property, and to issue leases and development agreements". Staff believes these authorizations are unnecessary as the transfer process will be completed before the issuance of leases or development agreements.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor issuance of an executive order canceling Governor's Executive Order No. 3427 and further subject to the following:
  - A. The standard terms and conditions of the most current executive order document form, as may be amended from time to time;
  - B. Disapproval by the Legislature by two-thirds of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
  - C. Review and approval by the Department of the Attorney General; and
  - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Authorize Department of Accounting and General Services issue a request for proposal for the development of the stadium district.
4. Authorize issuance of a quitclaim deed to the Stadium Authority covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. The standard terms and conditions of the most current quitclaim deed form, as may be amended from time to time;
- B. In the event the subject area is no longer needed for the stadium development district or related purposes, then the title to the land shall automatically revert to the Board of Land and Natural Resources;
- C. Review and approval by the Department of the Attorney General; and
- D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

*Barry Cheung*

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Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

*Suzanne D. Case*

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Suzanne D. Case, Chairperson *RT*





**TMK (1) 9-9-003:055, 061, 070, and 071**

**EXHIBIT A**

**EXEMPTION NOTIFICATION**

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title: Cancellation of Governor's Executive Order No. 3427; Issuance of Quitclaim Deed to the Stadium Authority.

Reference No.: PSF 21OD-059

Project Location: Aiea, Ewa, Oahu, TMK (1) 9-9-003:055, 061, 070, and 071.

Project Description: Pursuant to Act 268, SLH 2019 and Act 146, SLH 2021, the fee title of the subject property will be transferred to the Stadium Authority.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with HAR § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1 that states, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," and Item 37 that states, "transfer of title to land."

Cumulative Impact of Planned Successive Actions in Same Place Significant? No, the request itself is for the transfer of title and does not involve any expansion or change of use from that existing or the general land uses in the area. Stadium Authority will be responsible to address this issue before the finalization of the development details.

Action May Have Significant Impact on Particularly Sensitive Environment? No. Stadium Authority will be responsible to address this issue before the finalization of the development details.

Consulted Parties: None. The request is authorized by the above-mentioned Acts.

**EXHIBIT B**

Analysis:

The request is for the fee title transfer. Stadium Authority will be responsible for the future development to ensure compliance with Chapter 343, HRS.

Recommendation:

It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



DAVID Y. IGE  
GOVERNOR



CURT T. OTAGURO  
COMPTROLLER

AUDREY HIDANO  
DEPUTY COMPTROLLER

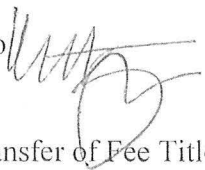
STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

(P)21.134

JUL 13 2021

MEMORANDUM

TO: Suzanne D. Case, Chairperson  
Department of Land and Natural Resources

FROM: Curt T. Otaguro   
Comptroller

SUBJECT: Request for Transfer of Fee Title for Stadium Properties  
Pursuant to Act 268, SLH 2019, as amended by Act 4, SLH 2020, and  
Act 146, SLH 2021 and Authorization to  
Subdivide Property and Issue Lease Agreements  
TMKs: (1) 9-9-003:055, 061, 070, 071

The Department of Accounting and General Services (DAGS) requests approval to execute the transfer of the fee title for the subject properties to the Stadium Authority. DAGS additionally requests authorization for the Stadium Authority to subdivide the property, and to issue leases and development agreements.

The Department of Land and Natural Resources currently holds the fee title for the properties, with management and control of the properties assigned to the Stadium Authority through Governor's Executive Order No. 3427. The transfer of fee title was authorized by Act 268, Session Laws of Hawaii (SLH) 2019, however, it was not enacted at the time as the Stadium Authority lacked the authority to acquire and hold title to real property. Act 268 was amended by Act 146, SLH 2021, to broaden the powers and duties of the Stadium Authority, which includes the authorization to acquire and hold title to real property. In addition, Act 268 provides that the land to which the Stadium Authority holds title shall be exempted from the definition of "public lands". Copies of Acts 268, SLH 2019, and Act 146, SLH 2021, are attached for reference.

With the transfer of title, the Stadium Authority will have sole jurisdiction over the development of the properties. This will allow the Stadium Authority to control the procurement and execution of leases and development agreements which are necessary to generate revenue to sustain the construction, maintenance, and operations of the new stadium and the stadium development district.

**EXHIBIT C**

Suzanne D. Case  
(P)21.134  
Page 2

The Stadium Authority is currently undertaking two separate procurements: the stadium project, which includes demolition of the existing stadium and construction and maintenance of a new stadium, and the real estate project to develop the remainder of the stadium property. The award of these procurements will result in a number of leases that may require subdivision of the stadium properties. With the land board's authorization, the Stadium Authority will be able to execute leases and development agreements and initiate the subdivision of the stadium property as necessary prior to the execution of the fee title transfer.

A Draft Programmatic Environmental Impact Statement, which covers the construction of a new stadium and development of the stadium properties, was published in December 2020 and is available for download from the Hawaii Department of Health, Office of Environmental and Quality Control's website.

If there are any questions, please have your staff call Mr. David DePonte of the Public Works Division at 586-0492.

DD

c: Russell Tsuji, DLNR, Land Division w/attachments  
Scott Chan, Aloha Stadium

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# A BILL FOR AN ACT

RELATING TO THE STRUCTURE OF GOVERNMENT.

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

1       SECTION 1. Chapter 206E, Hawaii Revised Statutes, is  
2       amended by adding a new part to be appropriately designated and  
3       to read as follows:

4                       "PART       .   STADIUM DEVELOPMENT DISTRICT

5       §206E-       Stadium development district; purpose; findings.

6       The legislature finds that the aloha stadium and lands under the  
7       jurisdiction of the stadium authority and department of  
8       accounting and general services are underutilized. The stadium  
9       facility has been in dire need of significant repair and  
10      maintenance for many years. The stadium authority has  
11      considered repairing, upgrading, and replacing the existing  
12      facility to optimize the public's enjoyment and ensure public  
13      safety. Redeveloping, renovating, or improving these public  
14      lands in a manner that will provide suitable recreational,  
15      residential, educational, and commercial areas, where the public  
16      can live, congregate, recreate, attend schools, and shop, as

**EXHIBIT D**





1 part of a thoughtfully integrated experience, is in the best  
2 interests of the State and its people.

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

6 The legislature finds that the jurisdiction of the  
7 authority shall include development within the stadium  
8 development district. Any development within the district shall  
9 require a permit from the authority.

10 **§206E- Definitions.** As used in this part, unless the  
11 context otherwise requires:

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

14 **§206E- District; established; boundaries.** (a) The  
15 stadium development district is established and shall be  
16 composed of all land under the jurisdiction of the stadium  
17 authority established pursuant to section 109-1.

18 (b) The authority shall facilitate the development of all  
19 property belonging to the State within the district; provided  
20 that development is carried out in accordance with any county  
21 transit-oriented development plans for lands surrounding the



1 district. In addition to any other duties that the authority  
2 may have pursuant to this chapter, the authority's duties shall  
3 include:

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

19 **§206E- Development guidance policies.** The following  
20 shall be the development guidance policies generally governing  
21 the authority's actions in the district:



- 1       (1) Development shall be in accordance with any county  
2       transit-oriented development plan, unless modified by  
3       the authority pursuant to paragraph (2);
- 4       (2) With the approval of the governor, the authority, upon  
5       the concurrence of a majority of its voting members,  
6       may modify and make changes to a transit-oriented  
7       development plan with respect to the district to  
8       respond to changing conditions; provided that before  
9       amending a transit-oriented development plan, the  
10      authority shall conduct a public hearing to inform the  
11      public of the proposed changes and receive public  
12      input;
- 13      (3) The authority shall seek to promote economic  
14      development and employment opportunities by fostering  
15      diverse land uses and encouraging private sector  
16      investments that use the opportunities presented by  
17      the high-capacity transit corridor project consistent  
18      with the needs of the public, including mixed use  
19      housing and housing in transit-oriented developments;
- 20      (4) The authority may engage in planning, design, and  
21      construction activities within and outside the



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

12 (5) Hawaiian archaeological, historic, and cultural sites  
13 shall be preserved and protected;

14 (6) Endangered species of flora and fauna shall be  
15 preserved to the extent feasible;

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



1           (8) Public facilities within the district shall be  
2           planned, located, and developed to support the  
3           development policies established by this chapter for  
4           the district and rules adopted pursuant to this  
5           chapter.

6           **§206E- Stadium development district governance;**  
7 **memorandum of agreement.** Notwithstanding section 206E-3, for  
8 matters affecting the stadium development district, the  
9 executive director of the authority, state comptroller, and the  
10 stadium authority shall execute a memorandum of agreement with  
11 the appropriate state agencies.

12          **§206E- Annual comprehensive report.** Not less than  
13 twenty days prior to the convening of each regular session of  
14 the legislature, the authority shall submit to the legislature  
15 an annual comprehensive status report on the progress of  
16 development within the stadium development district."

17          SECTION 2. Section 206E-14, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19          "(a) The authority may, without recourse to public  
20 auction, sell, or lease for a term not exceeding sixty-five  
21 years, all or any portion of the real or personal property





1 constituting a redevelopment project to any person, upon such  
2 terms and conditions as may be approved by the authority, if the  
3 authority finds that the sale or lease is in conformity with the  
4 community development plan.

5 For the stadium development district, leases shall not  
6 exceed a term of ninety-nine years."

7 SECTION 3. (a) Notwithstanding any other law to the  
8 contrary, the department of land and natural resources shall  
9 transfer the fee simple interest in all parcels of land under  
10 the control or jurisdiction of the stadium authority, including  
11 all existing improvements thereon, to the stadium authority as  
12 grantee, as is, where is; provided that the legal instrument  
13 transferring the fee simple interest shall prohibit the stadium  
14 authority from selling, exchanging, or otherwise relinquishing  
15 the State's title to any ceded lands. The parcels to be  
16 transferred shall include:

- 17 (1) TMK 99003055:0000;  
18 (2) TMK 99003061:0000;  
19 (3) TMK 99003070:0000;  
20 (4) TMK 99003071:0000; and





1           (5) Any other parcels under the jurisdiction of the  
2                    stadium authority.

3           (b) The department of land and natural resources shall  
4 prepare, execute, and record, in the land court or bureau of  
5 conveyances, as appropriate, a quitclaim deed to convey each  
6 above-listed parcel with all existing improvements, subject to  
7 the property boundaries determined pursuant to subsection (a),  
8 to the stadium authority, as grantee. As these are conveyances  
9 in which the State and its agencies are the only parties, the  
10 tax imposed by section 247-1, Hawaii Revised Statutes, shall not  
11 apply. Effective on the date of transfer, every reference to  
12 the present titleholder or the head of the department or agency  
13 in each instrument, if the titleholder is a department or an  
14 agency, shall be construed as a reference to the stadium  
15 authority.

16           SECTION 4. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$20,000,000 or so  
18 much thereof as may be necessary for fiscal year 2019-2020 for  
19 the establishment and development of the stadium development  
20 district for public use.



1       The sum appropriated shall be expended by the Hawaii  
2 community development authority for the purposes of this Act;  
3 provided that the appropriation shall not lapse at the end of  
4 the fiscal year for which the appropriation is made; provided  
5 further that all moneys unencumbered as of June 30, 2022, shall  
6 lapse as of that date.

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

17       The proceeds of the revenue bonds shall be deposited into  
18 the Hawaii community development revolving fund created in  
19 section 206E-16, Hawaii Revised Statutes.

20       The revenue bonds authorized under this Act shall be issued  
21 pursuant to part III, chapter 39, Hawaii Revised Statutes. The



1 authorization to issue revenue bonds under this Act shall lapse  
2 on June 30, 2024.

3 SECTION 6. The director of finance is authorized to issue  
4 general obligation bonds in the sum of \$150,000,000 or so much  
5 thereof as may be necessary and the same sum or so much thereof  
6 as may be necessary is appropriated for fiscal year 2019-2020 to  
7 the Hawaii community development authority for the stadium  
8 development district.

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

15 SECTION 8. This Act shall take effect on July 1, 2019.



**Report Title:**

HCDA; Stadium Authority; Stadium Development District; Land Transfer; Appropriation

**Description:**

Establishes the Stadium Development District comprising all state land under the Stadium Authority's jurisdiction. Authorizes HCDA to facilitate the development of all state property within the District. Requires a memorandum of agreement for matters affecting the District. Directs DLNR to transfer title of stadium lands to the Stadium Authority. Subjects leases of land within the District to not more than 99 years. Authorizes the issuance of revenue bonds and general obligation bonds. Appropriates funds. Requires annual reports to the Legislature. (HB1586 CD1)

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



Approved by the Governor  
on JUN 30 2021  
HOUSE OF REPRESENTATIVES  
THIRTY-FIRST LEGISLATURE, 2021  
STATE OF HAWAII

ORIGINAL

ACT 146  
H.B. NO. 1348  
H.D. 2  
S.D. 2  
C.D. 1

## A BILL FOR AN ACT

RELATING TO THE STADIUM DEVELOPMENT DISTRICT.

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

1 PART I

2 SECTION 1. Section 109-1, Hawaii Revised Statutes, is  
3 amended by amending subsections (a) and (b) to read as follows:  
4 "(a) There shall be within the department of accounting  
5 and general services for administrative purposes only, a stadium  
6 authority whose responsibility shall be to maintain, operate,  
7 and manage the stadium [~~and facilities attached thereto.~~]  
8 development district. The authority shall consist of [~~nine~~]  
9 eleven members who shall be appointed by the governor in the  
10 manner prescribed by section 26-34.

11 Of the eleven members:

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

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

EXHIBIT E





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





- 1           (B) The area beginning at the intersection of Kaonohi  
2           street and H-1 freeway and running:  
3           (i) Southeasterly along said freeway to the  
4           Moanalua freeway - Kamehameha highway  
5           connector;  
6           (ii) Northwesternly along said highway connector  
7           to Kamehameha highway;  
8           (iii) Northwesternly along said highway to Aiea  
9           stream;  
10          (iv) Southerly along said stream to the  
11          shoreline;  
12          (v) Northwesternly along said shoreline to  
13          Kalauao stream;  
14          (vi) Northeasterly along said stream to  
15          Kamehameha highway;  
16          (vii) Northwesternly along said highway to Kaonohi  
17          street; and  
18          (viii) Northeasterly along said street to its  
19          intersection with H-1 freeway; or  
20          (C) The area beginning at the intersection of Waimalu  
21          stream and Koolau ridge and running:



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



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



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

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



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

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

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

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

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

16 "**§109-2 Stadium authority; powers and duties.** The powers  
17 and duties of the stadium authority shall be as follows:

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





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





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

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

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



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



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

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

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

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

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



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



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





1       (12) Lands to which the Hawaii technology development  
2           corporation in its corporate capacity holds title;  
3           [and]

4       (13) Lands to which the department of education holds  
5           title; and

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

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

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



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

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

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

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

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

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



- 1 (6) Land that is set aside by the governor to the Aloha  
2 Tower development corporation[+] or land to which the  
3 Aloha Tower development corporation holds title in its  
4 corporate capacity;
- 5 (7) Land that is set aside by the governor to the  
6 agribusiness development corporation[+] or land to  
7 which the agribusiness development corporation in its  
8 corporate capacity holds title;
- 9 (8) Land to which the Hawaii technology development  
10 corporation in its corporate capacity holds title;
- 11 (9) Land to which the department of education holds title;  
12 [~~and~~]
- 13 (10) Land to which the Hawaii public housing authority in  
14 its corporate capacity holds title[-]; and
- 15 (11) Land to which the stadium authority holds title."

16 PART II

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

20 "§109- Stadium development special fund; established.

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



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

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

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

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

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

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





- 1        (1) The development, operation, and maintenance of a new  
2        stadium;
- 3        (2) Food and beverage service and parking service provided  
4        at the stadium facility; the sale of souvenirs, logo  
5        items, or other items; any future major repair,  
6        maintenance, and improvement of the stadium facility  
7        as a commercial enterprise or as a world-class  
8        facility for athletic events, entertainment, or public  
9        events; and marketing the facility pursuant to  
10       section 109-2(4) and (8); and
- 11       (3) Contractual payments to developers or contractors  
12       engaged by the stadium authority for the purpose of  
13       redeveloping the site and related on- and off-site  
14       infrastructure that benefits the stadium district and  
15       its development guidance policies."

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

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





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

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

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

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

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



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

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

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

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

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



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

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

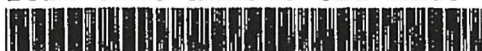


1 circumstances. If the manager determines that any property  
2 delivered to the manager pursuant to this section has no  
3 apparent commercial value, the manager at any time thereafter  
4 may destroy or otherwise dispose of the property.

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

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

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





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

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

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

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





- 1           (2)   ~~[With the approval of the governor, the]~~ The  
2                   authority, upon the concurrence of a majority of its  
3                   voting members, may modify and make changes to a  
4                   transit-oriented development plan with respect to the  
5                   district to respond to changing conditions; provided  
6                   that before amending a transit-oriented development  
7                   plan, the authority shall conduct a public hearing to  
8                   inform the public of the proposed changes and receive  
9                   public input;
- 10          (3)   The authority shall seek to promote economic  
11                   development and employment opportunities by fostering  
12                   diverse land uses and encouraging private sector  
13                   investments that use the opportunities presented by  
14                   the high-capacity transit corridor project consistent  
15                   with the needs of the public, including ~~[mixed-use]~~  
16                   mixed-use housing and housing in transit-oriented  
17                   developments;
- 18          (4)   The authority may engage in planning, design, and  
19                   construction activities within and outside the  
20                   district; provided that activities outside the  
21                   district shall relate to infrastructure development,



- 1 area-wide drainage improvements, roadway realignments  
2 and improvements, business and industrial relocation,  
3 and other activities the authority deems necessary to  
4 carry out development of the district and implement  
5 this part. The authority may undertake studies or  
6 ~~[coordinating]~~ coordinate activities in conjunction  
7 with the county and appropriate state agencies and may  
8 address facility systems, industrial relocation, and  
9 other activities;
- 10 (5) ~~[Hawaiian archaeological,]~~ Archaeological, historic,  
11 and cultural sites shall be preserved and protected[+]   
12 in accordance with chapter 6E;
- 13 (6) Endangered species of flora and fauna shall be  
14 preserved to the extent ~~[feasible,]~~ required by law;
- 15 (7) Land use and development activities within the  
16 district shall be coordinated with and, to the extent  
17 possible, complement existing county and state  
18 policies, plans, and programs affecting the district;  
19 and
- 20 (8) Public facilities within the district shall be  
21 planned, located, and developed to support the



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

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

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

19 PART III

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



- 1       "(a) Except as provided in this section, and  
2 notwithstanding any other law to the contrary, from time to  
3 time, the director of finance, for the purpose of defraying the  
4 prorated estimate of central service expenses of government in  
5 relation to all special funds, except the:
- 6       (1) Special out-of-school time instructional program fund  
7             under section 302A-1310;
- 8       (2) School cafeteria special funds of the department of  
9             education;
- 10       (3) Special funds of the University of Hawaii;
- 11       (4) State educational facilities improvement special fund;
- 12       (5) Convention center enterprise special fund under  
13             section 201B-8;
- 14       (6) Special funds established by section 206E-6;
- 15       (7) Aloha Tower fund created by section 206J-17;
- 16       (8) Funds of the employees' retirement system created by  
17             section 88-109;
- 18       (9) Hawaii hurricane relief fund established under  
19             chapter 431P;
- 20       (10) Hawaii health systems corporation special funds and  
21             the subaccounts of its regional system boards;



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





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



1    +] (35) [+] Civil monetary penalty special fund under  
2                    section 321-30.2[7]; and  
3            (36) Stadium development special fund under  
4                    section 109-     ,  
5    shall deduct five per cent of all receipts of all other special  
6    funds, which deduction shall be transferred to the general fund  
7    of the State and become general realizations of the State. All  
8    officers of the State and other persons having power to allocate  
9    or disburse any special funds shall cooperate with the director  
10   in effecting these transfers. To determine the proper revenue  
11   base upon which the central service assessment is to be  
12   calculated, the director shall adopt rules pursuant to  
13   chapter 91 for the purpose of suspending or limiting the  
14   application of the central service assessment of any fund. No  
15   later than twenty days prior to the convening of each regular  
16   session of the legislature, the director shall report all  
17   central service assessments made during the preceding fiscal  
18   year."

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

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



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



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







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



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



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

17 PART V

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

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



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

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

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

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



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

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

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

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





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

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

1

PART VII

2

3

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

4

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

APPROVED this 30 day of JUN , 2021

*David Ige*

GOVERNOR OF THE STATE OF HAWAII



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

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021  
Honolulu, Hawaii

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



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives

H.B. No. 1348, H.D. 2, S.D. 2, C.D. 1

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 27, 2021  
Honolulu, Hawaii 96813

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

  
President of the Senate

  
Clerk of the Senate