
A BILL FOR AN ACT

RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.

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

1 SECTION 1. Chapter 266, Hawaii Revised Statutes, is
2 amended by adding a section to be appropriately designated and
3 to read as follows:

4 "**§266- Implementation of the commercial harbors**
5 **modernization plan.** No later than July 1, 2010, the
6 implementation of the commercial harbors modernization plan
7 shall be the responsibility of the department of
8 transportation. All projects, prior to implementation, shall be
9 approved by the governor."

10 SECTION 2. Section 206E-32, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§206E-32 District; established, boundaries.** (a) The
13 Kakaako community development district is established.

14 (b) The district shall include that area bounded by King
15 Street; Piikoi Street from its intersection with King Street to
16 Ala Moana Boulevard; Ala Moana Boulevard, inclusive, from Piikoi
17 Street to its intersection with the Ewa boundary of Ala Moana
18 Park also identified as the Ewa boundary of tax map key 2-3-



1 37:01; the Ewa boundary of tax map key 2-3-37:01 from its
2 intersection with Ala Moana Boulevard to the shoreline; the
3 shoreline from its intersection with the property line
4 representing the Ewa boundary of property identified by tax map
5 key 2-3-37:01 to the property line between Pier 2 and Pier 4;
6 the property line between Pier 2 and Pier 4 from its
7 intersection with the shoreline to Ala Moana Boulevard; Ala
8 Moana Boulevard from its intersection with the property line
9 between lands identified by Pier 2 and Pier 4 to Punchbowl
10 Street; and Punchbowl Street to its intersection with King
11 Street; provided that the following parcels at Pier 1 and Pier 2
12 shall be deleted from the Kakaako community development district
13 boundaries and conveyed to the department of land and natural
14 resources to be set aside for the department of transportation
15 and the foreign-trade zone division of the department of
16 business, economic development, and tourism, to ensure continued
17 maritime and foreign commerce use: all of lot 3 and parcels 2,
18 3-A, A, and B of the Forrest Avenue subdivision, as shown on the
19 map filed with the bureau of conveyances of the State of Hawaii
20 as file plan 2335; and lots A-1 and A-2, as shown on map 2,
21 filed in the office of the assistant registrar of the land court
22 of the State of Hawaii with land court application 1328; and



1 provided further that all existing easements affecting and
2 appurtenant to the parcels to be deleted from the Kakaako
3 community development district boundaries shall not be affected
4 by this change.

5 (c) The district shall also include that parcel of land
6 identified by tax map key 2-1-14:16, situated mauka of Pier 6
7 and Pier 7 and makai of Nimitz Highway, being the site for the
8 existing Hawaiian Electric power plant and related facilities."

9 (d) The district shall also include the Aloha Tower
10 complex identified as the area bounded by Nimitz Highway
11 beginning at its intersection with the Diamond Head boundary of
12 tax map key 2-1-13:7 north along Nimitz Highway to its
13 intersection at Pier 11 and Nimitz Highway; southwest along the
14 face of Piers 10 and 11; southeast along the face of Pier 9;
15 northeast along the face of Pier 8; southeast parallel along the
16 revetment of Ala Moana Boulevard and to include Pier 7;
17 southwest along Pier 6 and its shoreline and around to Pier 5
18 and its shoreline; northeast to Ala Moana Boulevard; north along
19 Nimitz Highway to its intersection with Richards Street;
20 southwest along Richards Street to its intersection with Ala
21 Moana Boulevard; northwest along Ala Moana Boulevard to its
22 intersection with the Ewa boundary of tax map key 2-1-14:6;



1 northeast along the Ewa boundary of tax map key 2-1-14:6 to its
2 Ewa mauka corner; and northwest across Bishop Street to the
3 point of beginning at the intersection of the Diamond Head
4 boundary of tax map key 2-1-13:7 and Nimitz Highway."

5 SECTION 3. Section 206J-4, Hawaii Revised Statutes, is
6 amended by amending subsections (a) and (b) to read as follows:

7 "(a) There is established the Aloha Tower development
8 corporation, which shall be a public body corporate and politic,
9 a public instrumentality, and an agency of the State. The
10 development corporation shall be placed within the department of
11 ~~[business, economic development, and tourism]~~ transportation for
12 administrative purposes, pursuant to section 26-35.

13 (b) ~~[Except as provided in section 206J 5.5, the]~~ The
14 development corporation shall consist of a board of directors
15 having ~~[seven]~~ three voting members: ~~[-]~~ The ~~[director of~~
16 ~~business, economic development, and tourism, the]~~ director of
17 ~~transportation; [-]~~ the ~~[chairperson of the board of land and~~
18 ~~natural resources, and the mayor of the city and county of~~
19 ~~Honolulu, or their respective designated representatives, shall~~
20 ~~serve as ex officio voting members.]~~ deputy director of
21 transportation, harbors division; and the director of the
22 department of business, economic development, and tourism.



1 ~~[Three members from the public at large shall be appointed by~~
2 ~~the governor for staggered terms pursuant to section 26-34 and~~
3 ~~shall also serve as voting members; provided that no public~~
4 ~~member shall be an officer or employee of the State or its~~
5 ~~political subdivisions. All members shall continue in office~~
6 ~~until their respective successors have been appointed.]~~ The
7 board, by a majority vote, shall elect a chairperson from within
8 its membership."

9 SECTION 4. Section 206J-17, Hawaii Revised Statutes, is
10 amended as follows:

11 1. By amending subsection (a) to read:

12 "(a) There is created the Aloha Tower fund. All:

13 (1) Moneys;

14 (2) Rentals;

15 (3) Charges;

16 (4) Other revenues of the development corporation; and

17 (5) Moneys or charges received by the department of

18 ~~[business, economic development, and tourism,]~~

19 transportation;

20 including reimbursements for costs and staff services as a
21 result of planning, development, or redevelopment of the lands
22 located seaward of Nimitz Highway between Pier 4 and ~~[the~~



1 ~~Honolulu International Airport]~~ Pier 11 shall be deposited into
2 the fund."

3 2. By amending subsection (c) to read:

4 "(c) The moneys on deposit in the fund shall be used for
5 the purposes of this chapter, lease payments to the department
6 of transportation, and for the development, redevelopment, or
7 improvement of the Honolulu Waterfront located seaward of Nimitz
8 Highway between Pier 4 and [~~the Honolulu International Airport.~~]
9 Pier 11."

10 SECTION 5. There is appropriated out of the Aloha Tower
11 fund the sum of \$ or so much thereof as may be
12 necessary for fiscal year 2011-2012 for operating expenses for
13 the Aloha Tower development corporation.

14 The sum appropriated shall be expended by the department of
15 transportation for the purposes of this Act.

16 SECTION 6. All rights, powers, functions, and duties of
17 the Aloha Tower development corporation are transferred to the
18 department of transportation.

19 All officers and employees whose functions are transferred
20 by this Act shall be transferred with their functions and shall
21 continue to perform their regular duties upon their transfer,
22 subject to the state personnel laws and this Act.



1 No officer or employee of the State having tenure shall
2 suffer any loss of salary, seniority, prior service credit,
3 vacation, sick leave, or other employee benefit or privilege as
4 a consequence of this Act, and such officer or employee may be
5 transferred or appointed to a civil service position without the
6 necessity of examination; provided that the officer or employee
7 possesses the minimum qualifications for the position to which
8 transferred or appointed; and provided that subsequent changes
9 in status may be made pursuant to applicable civil service and
10 compensation laws.

11 An officer or employee of the State who does not have
12 tenure and who may be transferred or appointed to a civil
13 service position as a consequence of this Act shall become a
14 civil service employee without the loss of salary, seniority,
15 prior service credit, vacation, sick leave, or other employee
16 benefits or privileges and without the necessity of examination;
17 provided that such officer or employee possesses the minimum
18 qualifications for the position to which transferred or
19 appointed.

20 If an office or position held by an officer or employee
21 having tenure is abolished, the officer or employee shall not
22 thereby be separated from public employment, but shall remain in



1 the employment of the State with the same pay and classification
2 and shall be transferred to some other office or position for
3 which the officer or employee is eligible under the personnel
4 laws of the State as determined by the head of the department or
5 the governor.

6 SECTION 7. All appropriations, records, equipment,
7 machines, files, supplies, contracts, books, papers, documents,
8 maps, and other personal property heretofore made, used,
9 acquired, or held by the department of Aloha Tower development
10 corporation relating to the functions transferred to the
11 department of transportation shall be transferred with the
12 functions to which they relate.

13 SECTION 8. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 9. This Act shall take effect on July 1, 2030.



Report Title:

Aloha Tower Development Corporation; Repeal; Appropriation

Description:

Abolishes the Aloha Tower Development Corporation (ATDC). Transfers the ATDC assets to the Hawaii Community Development Authority (HCDA). Establishes the Aloha Tower Complex under the jurisdiction of HCDA. Makes an appropriation. Effective July 1, 2030. (SB1247 HD2)

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