
A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. The legislature finds that quorum of the Hawaii
2 community development authority is difficult to achieve. Due to
3 the size and restrictions of the membership, often times
4 decisions are unable to be made in a timely manner. In order to
5 allow for the benefit of representation of all stakeholders, the
6 composition of the membership of the authority should be
7 amended.

8 The purpose of this Act is to change the composition of the
9 Hawaii community development authority board to nine voting
10 members for each community development district and allow for
11 certain members to designate a voting representative if they are
12 unable to attend a meeting.

13 SECTION 2. Section 206E-3, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

15 "(b) The authority shall consist of [~~thirteen~~] nine voting
16 members[-] for each initial designated district. The director
17 of finance, the director of business, economic development, and
18 tourism, the comptroller, chairperson of the Hawaiian homes



1 commission, and director of the city and county of Honolulu
2 department of planning and permitting, and [the director of
3 transportation,] a cultural expert appointed by the governor
4 pursuant to section 26-34, or their respective designated
5 representatives, shall serve as ex officio, voting members[-
6 ~~one member shall be appointed by the governor from a list of not~~
7 ~~less than three prospective appointees submitted by the~~
8 ~~president of the senate, and one member shall be appointed by~~
9 ~~the governor from a list of not less than three prospective~~
10 ~~appointees submitted by the speaker of the house of~~
11 ~~representatives. Seven members shall be appointed by the~~
12 ~~governor for staggered terms pursuant to section 26-34; provided~~
13 ~~that four members shall be appointed at large and, initially,~~
14 ~~three] in each initial designated district. Three members,~~
15 hereinafter referred to as county members, shall be selected
16 from a list of ten prospective appointees recommended by the
17 local governing body of the county in which the initial
18 designated district is situated; and provided further that when
19 vacancies occur in any of the three positions for which the
20 members were selected from a list of county recommendations, the
21 governor shall fill such vacancies on the basis of one from a
22 list of four recommendations, two from a list of seven



1 recommendations, or three from a list of ten recommendations.
2 The list of recommendations shall be made by the local governing
3 body of the county. Of the [~~nine~~] four members appointed either
4 by the governor [~~from the lists provided by the president of the~~
5 ~~senate and speaker of the house, at large by the governor,~~] as a
6 cultural expert or as county members recommended by the local
7 governing body of the county in which the initial designated
8 district is situated, at least two members shall represent small
9 businesses and shall be designated as the small business
10 representatives on the board whose purpose, among other things,
11 is to vote on matters before the board that affect small
12 businesses. The small business representatives shall be owners
13 or active managers of a small business with its principal place
14 of operation located within the physical boundaries of the
15 initial designated district. Notwithstanding section 84-14(a),
16 the small business representatives shall not be prohibited from
17 voting on any matter concerning any district under the board's
18 jurisdiction; provided that the matter is not limited to solely
19 benefiting the specific interest of that member and the matter
20 concerns broader interests within the district. If an
21 additional district is designated by the legislature, [~~the total~~
22 ~~membership of the authority shall be increased~~] the governor



1 shall appoint three county members as prescribed above [~~by the~~
2 ~~appointment of three additional members, except as provided for~~
3 ~~in section 206E-191~~].

4 Notwithstanding anything to the contrary in this
5 subsection, of the county members appointed to the authority for
6 the Kalaeloa community development district, two members shall
7 be residents of the Kalaeloa community development district, the
8 Ewa zone (zone 9, sections 1 through 2), or the Waianae zone
9 (zone 8, sections 1 through 9) of the first tax map key
10 division; provided that one member appointed shall be appointed
11 from a list of not less than three prospective appointees
12 submitted by the mayor of the city and county of Honolulu.

13 Notwithstanding section 92-15, a majority of all members
14 shall constitute a quorum to do business, and the concurrence of
15 a majority of all members shall be necessary to make any action
16 of the authority valid; except that, on any matter relating
17 solely to a specific community development district, the members
18 representing districts other than that specific community
19 development district shall neither vote, nor shall they be
20 counted to constitute a quorum, and concurrence shall be
21 required of a majority of that portion of the authority made up
22 of all ex officio voting members, members at large, and county



1 and district members representing the district for which action
2 is being proposed for such action to be valid. All members
3 shall continue in office until their respective successors have
4 been appointed and qualified. Except as herein provided, no
5 member appointed under this subsection shall be an officer or
6 employee of the State or its political subdivisions.

7 For [+]purposes[+] of this section, "small business" means
8 a business which is independently owned and which is not
9 dominant in its field of operation."

10 SECTION 3. Section 206E-191, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "~~+~~§206E-191~~+~~ **Barbers Point Naval Air Station**
13 **redevelopment; power to redevelop established.** (a) The Hawaii
14 community development authority shall be the designated agency
15 of the State to implement this part.

16 (b) The authority shall act as the local redevelopment
17 authority to facilitate the redevelopment of Barbers Point Naval
18 Air Station in accordance with the Barbers Point Naval Air
19 Station community reuse plan. In addition to any other duties
20 that the authority may have pursuant to this chapter, the
21 authority's duties shall include but not be limited to:



- 1 (1) Coordinating with the Navy and other entities during
2 the conveyance of properties and conducting
3 remediation activities for the Barbers Point Naval Air
4 Station community reuse plan;
- 5 (2) Assisting landholders designated by the plan to market
6 their properties and process conveyance requests;
- 7 (3) Working with the Navy and others to ensure that
8 infrastructure support is provided to the existing
9 developed area, referred to as the "downtown area",
10 and other federally retained areas;
- 11 (4) Developing the infrastructure necessary to support the
12 implementation of the Barbers Point Naval Air Station
13 community reuse plan; and
- 14 (5) Providing, to the extent feasible, maximum opportunity
15 for the reuse of surplus property by private
16 enterprise or state and county government.

17 ~~[(c) Five additional voting members shall, except as~~
18 ~~otherwise provided in this subsection, be appointed to the~~
19 ~~authority by the governor to represent the Kalaeloa community~~
20 ~~development district. These members shall be considered in~~
21 ~~determining quorum and majority only on issues relating to the~~
22 ~~Kalaeloa community development district, and may vote only on~~



1 ~~issues relating to the Kalaeloa community development district.~~

2 ~~These members shall consist of:~~

3 ~~(1) The chairperson of the Hawaiian homes commission;~~

4 ~~(2) The director of the city and county of Honolulu~~

5 ~~department of planning and permitting;~~

6 ~~(3) Two members representing the surrounding community for~~

7 ~~a term pursuant to section 26-34, one of which shall~~

8 ~~be selected by the mayor of the city and county of~~

9 ~~Honolulu; and~~

10 ~~(4) One member who is a Hawaiian cultural specialist.]"~~

11 SECTION 4. Statutory material to be repealed is bracketed

12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Hawaii Community Development Authority

Description:

Amends the composition of the HCDA board to nine voting members for each established district. Effective July 1, 2020. (SB2742 HD1)

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

