

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STADIUM AUTHORITY OF THE STATE OF HAWAII

Proposed Amendments to Chapter 3-70
Hawaii Administrative Rules

1. Section 3-70-11, Hawaii Administrative Rules, is amended by amending subsections (a), (b), and (c) to read as follows:

"§3-70-11 Rental charges, payment. (a) The authority establishes the following schedule of charges for the use of the stadium proper for each event or date:

- (1) [~~Hawaii~~] Hawaii-based high school and lower grade level events or activities - No rent shall be charged for school related events or activities;
- (2) University of Hawaii [~~intercollegiate regular season football~~] events or activities - [~~the~~] The stadium authority shall have discretion to determine rent, provided, however, that the amount shall not exceed seven and one-half per cent of gross ticket receipts or \$10,000 per date, whichever is greater;
- ~~(3)~~ ~~Other college events where no admission charge is imposed, excluding professionally promoted college football games — \$500 per date;~~
- ~~(4)~~ ~~Professional and college football games professionally promoted by any person, partnership, corporation, or organization for profit — \$10,000 per date, or ten percent of ticket receipts per date, whichever is greater;~~
- ~~(5)~~ (3) Post-season [~~intercollegiate and~~] collegiate [~~all-star~~] football games [~~sponsored by any person, partnership, corporation, or~~

- ~~organization of non-profit status] - [ten]~~
Ten per cent of gross ticket receipts or \$10,000 per date, whichever is greater, but not to exceed \$32,000 per date [or such greater amount as may be determined by the authority. This amount shall not include reimbursement for out of pocket costs that may be imposed by section 3-70-10 nor any charge that may be imposed by the provisions as set forth in section 3-70-13;
- ~~(6)~~ Other sports events or collegiate events where admission is charged and is not otherwise specified in these rules — \$2,000 per date or ten percent of ticket receipts per date, or if no tickets are sold, \$1 for each person attending the event per date, whichever is greater;
- ~~(7)~~ Concerts, rallies, conventions] (4)
Commercial events - [\$2,000] \$2,500 per date or ten per cent of gross ticket receipts per date, or if no tickets are sold, \$1 for each person attending the event per date, whichever is greater;
- ~~[(8)]~~ (5) Receptions, parties, and youth events (ages high school and below) - [\$750] \$1,000 per date; [or ten percent of ticket receipts, or if no tickets are sold, \$1 for each person attending the event per date, whichever is greater;]
- ~~[(9)]~~ For purposes of filming or recording a commercial, and other activities involving short-term use of the stadium during the normal working hours of 7:30 a.m. through 3:30 p.m., Monday through Friday, excluding holidays — \$200 per hour, but not more than \$1,000 per date. Out of pocket expenses including field lights and overtime personnel costs shall be charged to the licensee pursuant to section 3-70-10;
- (6) Commercial media - \$500 per hour;
Non-commercial media - \$250 per hour;

~~[(10) Notwithstanding paragraphs (6), (7), and (8), the rental charge for events sponsored by religious or charitable organizations for religious or charitable purposes where no admission is charged shall not exceed \$2,000 per date; and]~~

(7) Charitable, religious, and other events or activities - \$2,500 per date or ten per cent of gross ticket receipts per date

~~[(11) All other events or activities - \$750 per date or such greater amount as may be determined by the authority].~~

(b) The authority establishes the following schedule of charges for the use of the stadium parking lots:

~~(1) [For the use of the Kam lot for carnivals, Carnivals, fairs, and similar events - [\$1,250] \$3,000 per date[+] that the event is open to the public;~~

~~(2) [For purposes of filming or recording a commercial, and other activities involving short term use of the parking lot area during the normal working hours of 7:30 a.m. through 3:30 p.m., Monday through Friday, excluding holidays - \$200 per hour, but not more than \$1,000 per date. Out of-pocket expenses including parking lot lights and overtime personnel costs shall be charged to the licensee pursuant to section 3-70-10;]~~

Commercial media - \$500 per hour;

Non-commercial media - \$250 per hour;

~~(3) [For concerts] Concerts - \$2,500 per date; [or \$1 for each person attending the event per date as determined in the sole reasonable judgment of the manager or the manager's designee, whichever is greater;]~~

~~(4) [For Hawaii] Hawaii-based high school and lower grade level events or activities - No rent shall be charged for school-related events or activities; and~~

- (5) ~~[For all]~~ All other events or activities, including youth (ages high school and below) - ~~[\$750]~~ \$1,000 per date ~~[or such greater amount as may be determined by the authority.~~

(c) The use of any office, or other space or facility on the stadium premises may be rented upon the terms and conditions, and at the rental rates ~~[as may be]~~ determined by the authority."

[Eff 6/12/81; am 9/17/82; am 8/25/88; am 1/17/05; am 3/4/06; am and comp 9/18/06; am 10/7/10; am] (Auth: HRS §109-2) (Imp: HRS §109-2)

2. Section 3-70-20, Hawaii Administrative Rules, is amended by amending subsections (a) to read as follows:

"§3-70-20 Parking rates, parking stalls. (a) Except as otherwise provided below, the authority establishes the following rates for the privilege of parking at the stadium for all events:

- (1) ~~[\$5]~~ \$7 per event per automobile for all events and shows except as provided in this subsection; rate will be \$8 beginning July 1, _____, and \$9 beginning July 1, _____;
- (2) ~~[\$25]~~ \$30 per event per passenger bus, limousine, or truck, other than pickups, regardless of the number of persons carried in such bus, limousine, or truck; provided that the authority delegates to the manager the power to waive such parking charges at the manager's discretion ~~[for vehicles transporting groups of people attending an event where the athletes or performers at the event attend high school or lower grade level, or where the vehicles are transporting groups of people from non-profit or charitable organizations];~~ rate will be \$31 beginning July 1, _____, and \$32 beginning July 1, _____;

- ~~[(3)]~~ ~~\$3 per event per automobile for all events and shows when the athletes or performers attend high school or lower grade levels;~~
- ~~(4)]~~ (3) [\$10] \$15 per event per automobile for professional sports events and concerts with admission charges, except for Hawaiian cultural and music events; rate will be \$16 beginning July 1, _____, and \$17 beginning July 1, _____;
- ~~[(5)]~~ (4) The authority delegates to the manager the power to waive parking charges, at the manager's discretion, in connection with an event or activity where the estimated out-of-pocket expenses for parking exceed the estimated parking revenues; provided that the out-of-pocket parking expenses be at the licensee's expense; [and
- ~~(6)]~~ (5) The swap meet events held at the stadium and private events held in the stadium hospitality room shall be exempted from this subsection[-]; and
- (6) The manager shall have the authority to sell bulk parking, in whole or in part, to a licensee at a rate not less than the published rate for the contracted event or activity."

[Eff 6/12/81; am 9/17/82; am 8/27/84; am 9/1/87;
am 8/12/02; comp 9/18/06; am 8/1/10; am
] (Auth: HRS §109-2) (Imp: HRS
§109-2)

3. Material, except source notes, to be repealed is bracketed. New material is underscored.

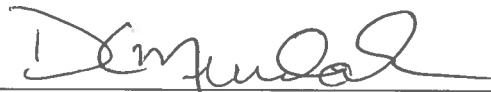
4. Additions to update source notes to reflect these amendments are not underscored.

5. These amendments to chapter 3-70, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were proposed to the Stadium Authority on March 19, 2015.



CHARLES T. TOGUCHI, Chairman
Aloha Stadium Authority



DOUGLAS MURDOCK, Comptroller
Department of Accounting and
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APPROVED AS TO FORM:



RANDALL S. NISHIYAMA
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