

PLEASE PRINT
Sign-In Sheet



EVENT:

Stadium Authority Board Meeting

DATE:

Thursday, September 29, 2022

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Board 09/29/2022

FY 2023 FINANCIAL INFORMATION

Attachment IV.B. 2 is the FY 2023 full year projection through Aug 31, 2022.

PROFIT/LOSS:

As promised, this month's report reflects updated actuals recorded for the months of July and August 2022. Aside from immaterial cleanup, the 10 months of projections remain relatively unchanged and essentially based on prior year actuals.

As we end the first quarter of FY'23, we continue to address fiscal-related technical hurdles stemming from our transfer from DAGS to DBEDT but we are almost there.

One item worth noting is that you will not see any expenses recorded in July 2022's expenditure column (spreadsheet column "C"). This is reflective of the trials and tribulations encountered in the transfer of our program from one department to another and there is "catch-up" recorded in the month of August.

That concludes the financial report for through August 2022.

§103D-102 Application of this chapter. (a) This chapter shall apply to all procurement contracts made by governmental bodies whether the consideration for the contract is cash, revenues, realizations, receipts, earnings, any of which the State receives or is owed; in-kind benefits; or forbearance; provided that nothing in this chapter or rules adopted hereunder shall prevent any governmental body from complying with the terms and conditions of any other grant, gift, bequest, or cooperative agreement.

(b) Notwithstanding subsection (a), this chapter shall not apply to contracts by governmental bodies:

- (1) Solicited or entered into before July 1, 1994, unless the parties agree to its application to a contract solicited or entered into prior to July 1, 1994;
- (2) To disburse funds, irrespective of their source:
 - (A) For grants as defined in section 42F-101, made by the State in accordance with standards provided by law as required by article VII, section 4, of the state constitution; or by the counties pursuant to their respective charters or ordinances;
 - (B) To make payments to or on behalf of public officers and employees for salaries, fringe benefits, professional fees, or reimbursements;
 - (C) To satisfy obligations that the State is required to pay by law, including paying fees, permanent settlements, subsidies, or other claims, making refunds, and returning funds held by the State as trustee, custodian, or bailee;
 - (D) For entitlement programs, including public assistance, unemployment, and workers' compensation programs, established by state or federal law;
 - (E) For dues and fees of organizations of which the State or its officers and employees are members, including the National Association of Governors, the National Association of State and County Governments, and the Multi-State Tax Commission;
 - (F) For deposit, investment, or safekeeping, including expenses related to their deposit, investment, or safekeeping;
 - (G) To governmental bodies of the State;
 - (H) As loans, under loan programs administered by a governmental body; and
 - (I) For contracts awarded in accordance with chapter 103F;
- (3) To procure goods, services, or construction from a governmental body other than the University of Hawaii bookstores, from the federal government, or from another state or its political subdivision;
- (4) To procure the following goods or services which are available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State:
 - (A) Services of expert witnesses for potential and actual litigation of legal matters involving the State, its agencies, and its officers and employees, including administrative quasi-judicial proceedings;
 - (B) Works of art for museum or public display;
 - (C) Research and reference materials including books, maps, periodicals, and pamphlets, which are published in print, video, audio, magnetic, or electronic form;
 - (D) Meats and foodstuffs for the Kalaupapa settlement;

- (E) Opponents for athletic contests;
 - (F) Utility services whose rates or prices are fixed by regulatory processes or agencies;
 - (G) Performances, including entertainment, speeches, and cultural and artistic presentations;
 - (H) Goods and services for commercial resale by the State;
 - (I) Services of printers, rating agencies, support facilities, fiscal and paying agents, and registrars for the issuance and sale of the State's or counties' bonds;
 - (J) Services of attorneys employed or retained to advise, represent, or provide any other legal service to the State or any of its agencies, on matters arising under laws of another state or foreign country, or in an action brought in another state, federal, or foreign jurisdiction, when substantially all legal services are expected to be performed outside this State;
 - (K) Financing agreements under chapter 37D; and
 - (L) Any other goods or services which the policy board determines by rules or the chief procurement officer determines in writing is available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State; and
- (5) Which are specific procurements expressly exempt from any or all of the requirements of this chapter by:
- (A) References in state or federal law to provisions of this chapter or a section of this chapter, or references to a particular requirement of this chapter; and
 - (B) Trade agreements, including the Uruguay Round General Agreement on Tariffs and Trade (GATT) which require certain non-construction and non-software development procurements by the comptroller to be conducted in accordance with its terms.

(c) Notwithstanding subsection (a), this chapter shall not apply to contracts made by:

- (1) Any regional system board of the Hawaii health systems corporation; or
- (2) The Kaho'olawe island reserve commission, except as provided by section 6K-4.5.

(d) Governmental bodies making procurements which are exempt from this chapter are nevertheless encouraged to adopt and use provisions of this chapter and its implementing rules as appropriate; provided that the use of one or more provisions shall not constitute a waiver of the exemption conferred and subject the procurement or the governmental body to any other provision of this chapter. [L Sp 1993, c 8, pt of §2; am L 1994, c 186, §6; am L 1995, c 16, §1 and c 178, §3; am L 1996, c 13, §3; am L 1997, c 186, §§2, 5 and c 352, §23; am L 1999, c 149, §12; am L 2001, c 200, §4; am L 2002, c 182, §4; am L 2003, c 9, §3; am L 2007, c 290, §16; am L 2009, c 175, §§1, 14(1); am L 2010, c 82, §§2, 8, c 107, §1, and c 159, §§2, 4; am L 2012, c 173, §5; am L 2013, c 244, §2; am L 2014, c 96, §13]

Note

The amendment made by L 1997, c 190, §6 is not included in this section.



GOV. MSG. NO. 1321

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 27, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2022, the following bill was signed into law:

SB3334 SD2 HD1 CD1

RELATING TO GOVERNMENT OPERATIONS.
ACT 220

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor
on JUN 27 2022
THE SENATE
THIRTY-FIRST LEGISLATURE, 2022
STATE OF HAWAII

ACT 220
S.B. NO. 3334
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO GOVERNMENT OPERATIONS.

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

PART I

SECTION 1. The legislature finds that the effective, efficient, and appropriate development and redevelopment of state lands is an important priority, both for the purposes of economic development and for the creation of new facilities that are of benefit to the public. However, at present, expertise with land development is scattered around state government. The office of planning and sustainable development and the Hawaii state energy office are a part of, and the Hawaii green infrastructure authority is administratively attached to, the department of business, economic development, and tourism. The State's two real estate development agencies, the Hawaii housing finance and development corporation and Hawaii community development authority are also administratively attached to this department. The director of the office of planning and sustainable development and executive director of the Hawaii housing finance and development corporation are the co-chairs of the Hawaii interagency council for transit-oriented development.

2022-3241 SB3334 CD1 SMA.doc



1 The Hawaii technology development corporation is
2 administratively attached to the department of business,
3 economic development, and tourism and has recently become
4 responsible for the development of the first responders campus
5 on Oahu. The Hawaii tourism authority is also administratively
6 attached to the department of business, economic development,
7 and tourism and is considering redeveloping all or a part of the
8 Hawaii convention center.

9 However, the stadium authority is currently attached to the
10 department of accounting and general services and is responsible
11 for the construction of a new stadium and the development of the
12 area surrounding the stadium, which includes more than seventy
13 acres, is adjacent to the new Honolulu rail line, and is
14 currently used as a parking lot.

15 Consolidating the State's land development functions within
16 the department of business, economic development, and tourism
17 would centralize the State's land development expertise and
18 thereby more efficiently use the State's limited financial
19 resources and personnel.

20 Accordingly, the purpose of this Act is to improve the
21 operation of state government by:



1 (1) Establishing the director of business, economic
2 development, and tourism, or the director's designee,
3 as an ex officio voting member of the Hawaii tourism
4 authority and the stadium authority;

5 (2) Transferring the stadium authority from the department
6 of accounting and general services to the department
7 of business, economic development, and tourism;

8 (3) Amending the composition of the stadium authority;

9 (4) Amending the development guidance policies of the
10 stadium authority; and

11 (5) Reducing the amount of general obligation bonds that
12 may be issued to the stadium authority for the stadium
13 development district.

14 PART II

15 SECTION 2. The purpose of this part is to add the director
16 of business, economic development, and tourism to the board of
17 the Hawaii tourism authority as an ex officio voting member.

18 SECTION 3. Section 201B-2, Hawaii Revised Statutes, is
19 amended by amending subsection (b) to read as follows:

1 "(b) The authority shall be headed by a policy-making
2 board of directors that shall consist of twelve members;
3 provided that:

4 (1) The members shall be appointed by the governor as
5 provided in section 26-34, except as provided by this
6 section;

7 (2) The members shall include at least one representative
8 each from the city and county of Honolulu and the
9 counties of Hawaii, Kauai, and Maui;

10 (3) Three members shall be appointed by the governor from
11 a list of three names submitted for each appointment
12 by the president of the senate, and three members
13 shall be appointed by the governor from a list of
14 three names submitted for each appointment by the
15 speaker of the house of representatives; provided that
16 if fewer than three names are submitted for each
17 appointment, the governor may disregard the list;

18 (4) At least six members shall have knowledge, experience,
19 and expertise in the area of accommodations,
20 transportation, retail, entertainment, or attractions,
21 and at least one member appointed by the governor



1 shall have knowledge, experience, and expertise in the
2 area of Hawaiian cultural practices; provided that no
3 more than three members shall represent, be employed
4 by, or be under contract to any sector of the industry
5 represented on the board;

6 (5) One member shall be the director of business, economic
7 development, and tourism, or the director's designee,
8 who shall be an ex officio voting member;

9 ~~[(5)]~~ (6) The governor shall make appointments to ensure
10 the fulfillment of all requirements of paragraphs (2)
11 and (4); provided that upon the occurrence of a
12 vacancy subject to paragraph (3), the governor shall
13 notify the president of the senate and the speaker of
14 the house of representatives of any unfulfilled
15 requirements pursuant to paragraphs (2) and (4), and
16 the president of the senate or the speaker of the
17 house of representatives, as appropriate, shall submit
18 nominees who fulfill those requirements; and

19 ~~[(6)]~~ (7) No person who has served as a member of the board
20 of directors of the Hawaii Visitors and Convention
21 Bureau shall be eligible to sit as a member of the



1 board of directors of the Hawaii tourism authority
2 until at least two years have expired between the
3 person's termination from service on the Hawaii
4 Visitors and Convention Bureau board and the person's
5 appointment to the authority's board of directors."

6 SECTION 4. The amendments made to section 201B-2, Hawaii
7 Revised Statutes, shall apply to any vacancy of a Hawaii tourism
8 authority board of directors member appointed pursuant to
9 section 201B-2(b)(2) or (4), Hawaii Revised Statutes, that
10 occurs on or after the effective date of this Act.

11 PART III

12 SECTION 5. The purpose of this part is to:

- 13 (1) Transfer the stadium authority from the department of
14 accounting and general services to the department of
15 business, economic development, and tourism; and
16 (2) Make amendments to chapter 206E, Hawaii Revised
17 Statutes, relating to the membership of the stadium
18 authority, development guidance policies of the
19 stadium authority, and the amount of general
20 obligation bonds that may be issued to the stadium
21 authority.



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

10 Of the ~~[eleven]~~ eight public members:

11 (1) One member shall be designated as the Aiea community
12 representative and be a resident of one of the
13 following 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:

17 (i) Easterly along said bridge to Salt Lake
18 boulevard;

19 (ii) Southeasterly along said boulevard to
20 Luapele drive;

21 (iii) Westerly along said drive to Fleet place;



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



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



- 1 (iii) Southwesterly along said boundary to Tampa
- 2 drive;
- 3 (iv) Westerly along said drive to the unnamed
- 4 road;
- 5 (v) Northerly along said road to Icarus way;
- 6 (vi) Westerly along said way to the unnamed road;
- 7 (vii) Southwesterly along said road to Moanalua
- 8 freeway (H-201);
- 9 (viii) Westerly along said freeway to H-1 freeway;
- 10 (ix) Northwesterly along said freeway to Kaonohi
- 11 street;
- 12 (x) Southwesterly along said street to Moanalua
- 13 road;
- 14 (xi) Westerly along said road to Kaahumanu
- 15 street;
- 16 (xii) Northerly along said street to Komo Mai
- 17 drive;
- 18 (xiii) Easterly along said drive to Punanani gulch;
- 19 (xiv) Northeasterly along said gulch to the
- 20 powerline;



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



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

13 Each public member of the authority shall have been a citizen of
14 the United States and a resident of the State for at least five
15 years next preceding the member's appointment. The [eleven]
16 remaining three members shall include the director of business,
17 economic development, and tourism or the director's designee,
18 who shall be an ex officio voting member, and the president of
19 the University of Hawaii and [the] superintendent of education,
20 or their designees, who shall be ex officio nonvoting members of
21 the authority [~~but shall not vote~~]."

1 SECTION 7. Section 206E-221, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+] §206E-221 [+] Stadium development district; purpose;~~
4 **findings.** The legislature finds that the aloha stadium and
5 lands under the jurisdiction of the stadium authority and
6 department of ~~[accounting and general services]~~ business,
7 economic development, and tourism are underutilized. The
8 stadium facility has been in dire need of significant repair and
9 maintenance for many years. The stadium authority has
10 considered repairing, upgrading, and replacing the existing
11 facility to optimize the public's enjoyment and ensure public
12 safety. Redeveloping, renovating, or improving these public
13 lands in a manner that will provide suitable recreational,
14 residential, educational, and commercial areas, where the public
15 can live, congregate, recreate, attend schools, and shop, as
16 part of a thoughtfully integrated experience, is in the best
17 interests of the State and its people.

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



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

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

7 "§206E-224 Development guidance policies. The following
8 shall be the development guidance policies generally governing
9 the authority's actions in the district:

10 (1) Development shall be in accordance with stadium
11 development district development plans [~~or transit-~~
12 ~~oriented development plans~~] adopted by the stadium
13 authority for the development of the district;
14 provided that the plan or plans shall consider any
15 county [~~transit-oriented~~] development plan and allow
16 for public input in the plan's preparation and
17 updates;

18 (2) The authority, upon the concurrence of a majority of
19 its voting members, may modify and make changes to a
20 transit-oriented development plan with respect to the
21 district to respond to changing conditions; provided

1 206E-4.1, the stadium authority established pursuant to section
2 109-1 shall have sole jurisdiction regarding matters affecting
3 the stadium development district; provided that the Hawaii
4 community development authority~~[-]~~; department of ~~[accounting~~
5 ~~and general services]~~ business, economic development, and
6 tourism; and stadium authority shall enter into a memorandum of
7 agreement regarding the implementation of responsibilities of
8 the respective agencies."

9 SECTION 10. Act 268, Session Laws of Hawaii 2019,
10 section 6, as amended by section 5 of Act 4, Session Laws of
11 Hawaii 2020, as amended by section 18 of Act 146, Session Laws
12 of Hawaii 2021, is amended to read as follows:

13 "SECTION 6. The director of finance is authorized to issue
14 general obligation bonds in the sum of ~~[\$170,000,000]~~
15 \$20,000,000 or so much thereof as may be necessary and the same
16 sum or so much thereof as may be necessary is appropriated for
17 fiscal year 2019-2020 to the stadium authority for the stadium
18 development district; provided that the appropriation made for
19 the capital improvement project authorized by this section shall
20 not lapse at the end of the fiscal year for which the
21 appropriation is made; provided further that all moneys from the

1 appropriation unencumbered as of June 30, 2024, shall lapse as
2 of that date.

3 The sum appropriated shall be expended by the stadium
4 authority for the purposes of this Act."

5 SECTION 11. All rights, powers, functions, and duties of
6 the department of accounting and general services as they relate
7 to the stadium authority are transferred to the department of
8 business, economic development, and tourism.

9 All officers and employees whose functions are transferred
10 by this part shall be transferred with their functions and shall
11 continue to perform their regular duties upon their transfer,
12 subject to the state personnel laws and this part.

13 No officer or employee of the State having tenure shall
14 suffer any loss of salary, seniority, prior service credit,
15 vacation, sick leave, or other employee benefit or privilege as
16 a consequence of this part, and such officer or employee may be
17 transferred or appointed to a civil service position without the
18 necessity of examination; provided that the officer or employee
19 possesses the minimum qualifications for the position to which
20 transferred or appointed; provided further that subsequent



1 changes in status may be made pursuant to applicable civil
2 service and compensation laws.

3 An officer or employee of the State who does not have
4 tenure and who may be transferred or appointed to a civil
5 service position as a consequence of this part shall become a
6 civil service employee without the loss of salary, seniority,
7 prior service credit, vacation, sick leave, or other employee
8 benefits or privileges and without the necessity of examination;
9 provided that such officer or employee possesses the minimum
10 qualifications for the position to which transferred or
11 appointed.

12 If an office or position held by an officer or employee
13 having tenure is abolished, the officer or employee shall not
14 thereby be separated from public employment, but shall remain in
15 the employment of the State with the same pay and classification
16 and shall be transferred to some other office or position for
17 which the officer or employee is eligible under the personnel
18 laws of the State as determined by the head of the department or
19 the governor.

20 SECTION 12. All rules, policies, procedures, guidelines,
21 and other material adopted or developed by the department of



1 accounting and general services to implement provisions of the
2 Hawaii Revised Statutes that are reenacted or made applicable to
3 the department of business, economic development, and tourism by
4 this part shall remain in full force and effect until amended or
5 repealed by the department of business, economic development,
6 and tourism pursuant to chapter 91, Hawaii Revised Statutes.

7 In the interim, every reference to the department of
8 accounting and general services, or comptroller in those rules,
9 policies, procedures, guidelines, and other material is amended
10 to refer to the department of business, economic development,
11 and tourism or director of business, economic development, and
12 tourism, as appropriate.

13 SECTION 13. All deeds, leases, contracts, loans,
14 agreements, permits, or other documents executed or entered into
15 by or on behalf of the department of accounting and general
16 services, pursuant to the provisions of the Hawaii Revised
17 Statutes, that are reenacted or made applicable to the
18 department of business, economic development, and tourism by
19 this part shall remain in full force and effect. Upon the
20 effective date of this part, every reference to the department
21 of accounting and general services or the comptroller therein

1 shall be construed as a reference to the department of business,
2 economic development, and tourism or the director of business,
3 economic development, and tourism, as appropriate.

4 SECTION 14. All appropriations, records, equipment,
5 machines, files, supplies, contracts, books, papers, documents,
6 maps, and other personal property heretofore made, used,
7 acquired, or held by the department of accounting and general
8 services relating to the functions transferred to the department
9 of business, economic development, and tourism shall be
10 transferred with the functions to which they relate.

11 PART IV

12 SECTION 15. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 16. This Act shall take effect on July 1, 2022.

note
Can't spend \$ w/o
allotment - HRS

HRS 37-42

Have we/DAGS obligated
w/o HRS 37-42



S.B. NO. 3334
S.D. 2
H.D. 1
C.D. 1

APPROVED this 27th day of June, 2022

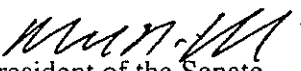
A handwritten signature in black ink, appearing to read "David I. Ige". The signature is fluid and cursive, with a large, sweeping "D" and "I".


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 3, 2022
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 2022.


President of the Senate


Clerk of the Senate

SB No. 3334, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
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 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives



GOV. MSG. NO. 1351

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

7/7/2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on 7/7/2022, the following bill was signed into law:

HB1600 HD1 SD2 CD1

RELATING TO THE STATE BUDGET.
ACT 248

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

H.B. NO. 1600
H.D. 1
S.D. 2
C.D. 1

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1						26,150,966B	
2			LNR	1,500,000N		1,500,000N	
3		INVESTMENT CAPITAL	LNR	7,540,000C		[0C]	
4						20,825,000C	
5							
6		8. <u>AGS889</u> - SPECTATOR EVENTS AND SHOWS - <u>ALOHA STADIUM</u>					
7		<u>OPERATING</u>	<u>AGS</u>		<u>A</u>	50,000,000A	
8				32.50*		[32.50*]	
9						18.50*	
10				1.00#		1.00#	
11			AGS	9,199,019B		9,199,019B	
12			AGS	[4,400,000V]		[1,000,000V]	
13				2,300,000V		0V	
14							
15							



1 "SECTION 17.2. Provided that of the general fund
2 appropriation for natural and physical environment (LNR906), the
3 sum of \$200,000 or so much thereof as may be necessary for
4 fiscal year 2022-2023 shall be expended by the aha moku advisory
5 committee pursuant to section 171-4.5, Hawaii Revised Statutes;
6 provided further that any funds not expended or encumbered for
7 this purpose shall lapse to the general fund on June 30, 2023."

8 20. By adding a new section to read:

9 "SECTION 17.3. Provided that out of the general fund
10 appropriation for spectator events and shows - Aloha Stadium
11 (AGS889), the sum of \$49,500,000 or so much thereof as may be
12 necessary for fiscal year 2022-2023 shall be deposited into the
13 stadium development special fund, to be expended for stadium
14 costs for operations, maintenance, and contract costs to
15 developers of the stadium."

16 21. By adding a new section to read:

17 "Section 18.1 Provided that of the general fund
18 appropriation for the unrestricted Major Disaster Fund for
19 Hawaii emergency management agency (DEF118), the sum of \$500,000
20 for fiscal year 2022-2023 shall be expended for preparations for
21 disaster response and recovery by the department; provided



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F

A. ECONOMIC DEVELOPMENT

BED107 - FOREIGN TRADE ZONE

0.01 GUTTER REPAIR - FTZ, OAHU

CONSTRUCTION FOR REPAIR OF GUTTER AT
FTZ9 PIER 2 FACILITY.

TOTAL FUNDING

BED

C

400 C

BED142 - GENERAL SUPPORT FOR ECONOMIC DEVELOPMENT

0.02 HILO WASTE-TO-WEALTH ECONOMIC
REVITALIZATION PROGRAM, HAWAII

PLANS AND DUE DILIGENCE TO SUPPORT
INNOVATIVE RESOURCE RECOVERY PROJECTS;
PROVIDED THAT MATCHING FUNDS BE PROVIDED
BY THE COUNTY OF HAWAII.

TOTAL FUNDING

BED

C

100 C

BED

S

100 S

0.03 NEW STADIUM, OAHU

PLANS, DESIGN, CONSTRUCTION, AND
EQUIPMENT FOR A NEW STADIUM IN HALAWA;
INCLUDING RENOVATION, RENEWAL,
REFURBISHMENT, REPLACEMENT, AND NEW
CONSTRUCTION; GROUND AND SITE
IMPROVEMENTS; EQUIPMENT AND
APPURTENANCES; AND ALL PROJECT RELATED
COSTS.

TOTAL FUNDING

BED

C

350,000 C

0.04 CONVENTION CENTER REDEVELOPMENT, OAHU

PLANS AND DESIGN FOR FEASIBILITY AND
COST STUDIES TO REDEVELOP THE CONVENTION
CENTER.

TOTAL FUNDING

BED

C

500 C



71. \$125,914,000 REPAIR AND MAINTENANCE LUMP SUM, STATEWIDE; IMPROVE, RE-ROOF, REPAINT, REFURBISH, REPLACE, REMEDIATE, NEW WORK, RENOVATE AND ALL RELATED WORK INCLUDING NEW WORK AND REFURBISHMENT/REPAIR/RENOVATION AT SCHOOL STATEWIDE; AND
provided that, any provision of this Act to the contrary notwithstanding, the governor is authorized to transfer savings or unrequired balances as may be available from the appropriated funds of any project in this section to supplement the appropriation for any other purpose in this section; provided further that the moneys provided in this part shall not be counted toward charter schools per pupil funding; provided that any funds not expended or encumbered for this purpose shall not lapse at the end of the fiscal year for which the appropriation is made; provided further that any money that remain unencumbered on June 30, 2024, shall lapse on that date."

2. By renumbering part VIII to read as follows:

" [~~PART VIII~~] PART IX. MISCELLANEOUS AND EFFECTIVE DATE"

SECTION 8. Part VII of Act 88, Session Laws of Hawaii
2021, is amended as follows:

1. By amending section 61 to read:



1 "SECTION 65. Any provision of this Act to the contrary
2 notwithstanding, the federal fund or other federal fund
3 appropriations made for operating costs authorized under this
4 Act [~~for fiscal year 2021-2022~~] shall not lapse at the end of
5 the fiscal year for which the appropriation is made; provided
6 that all federal fund or other federal fund appropriations made
7 to be expended in fiscal year 2021-2022 [~~which~~] that are
8 unencumbered as of June 30, [~~2023~~] 2024, shall lapse as of that
9 date[~~and~~] and in fiscal year 2022-2023 that are unencumbered
10 as of June 30, 2025, shall lapse as of that date; provided
11 further that the governor shall notify the legislature within
12 five days of each use of this authority and submit a report to
13 the legislature of all uses of this authority for the previous
14 fiscal year no later than September 1 of each year."

15 3. By amending section 67 to read:

16 "SECTION 67. Any provision of this Act to the contrary
17 notwithstanding, [~~where federal funding becomes available after~~
18 ~~the legislature adjourns sine die,~~] the governor may approve the
19 expenditure of federal funds that are in excess of levels
20 authorized by the legislature; [~~provided that the approval of~~
21 ~~excess funding shall not extend beyond July 1 of the immediately~~



~~federal fund appropriations and appropriations of other means of~~
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~~submit a report to the legislature of all uses of this authority~~
~~for the previous fiscal year no later than September 1 of each~~
~~year."~~

5. By amending section 72 to read:

"SECTION 72. ~~[Unless otherwise provided in this Act, the~~
~~governor is authorized to transfer operating funds between~~
~~appropriations within the same fund, within an expending agency,~~
~~for operating purposes; provided that the governor shall submit~~
~~a report to the legislature within five days of each use of this~~
~~authority; provided further that the report shall include the~~
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~~purposes served by the transfer of resources; and provided~~
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1 is determined advantageous to do so by both the original
2 expending agency and the agency to which expending authority is
3 to be delegated.

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5 to any person, entity, or circumstance is held to be invalid for
6 any reason, then the legislature declares that the remainder of
7 the Act and each and every other provision thereof shall not be
8 affected thereby. If any portion of a specific appropriation is
9 held to be invalid for any reason, the remaining portion shall
10 be expended to fulfill the objective of such appropriation to
11 the extent possible.

12 SECTION 11. In the event manifest clerical, typographical
13 or other mechanical errors are found in this Act, the governor
14 is hereby authorized to correct such errors.

15 SECTION 12. Nothing in this Act shall affect the validity
16 or continuing effectiveness of any provisions of Act 88, Session
17 Laws of Hawaii 2021, not repealed or modified by this Act.

18 SECTION 13. Material to be repealed is bracketed and
19 stricken. New statutory material is underscored. In printing
20 this Act, the revisor of statutes need not include the bracketed
21 material or the underscoring.



THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
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 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives



GOV. MSG. NO. 1351

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

7/7/2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on 7/7/2022, the following bill was signed into law:

HB1600 HD1 SD2 CD1

RELATING TO THE STATE BUDGET.
ACT 248

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

H.B. NO. 1600
H.D. 1
S.D. 2
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PROGRAM APPROPRIATIONS

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THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
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 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

September 13, 2022



Mr. Curt T. Otaguro
Comptroller
Department of Accounting and General Services
P.O. Box 119
Honolulu, Hawai'i 96810-0119

Dear Mr. Otaguro:

I hereby accept the Programmatic Final Environmental Impact Statement for the New Aloha Stadium Entertainment District, dated April 2022 (the Final EIS), as satisfactory fulfillment of the requirements of Chapter 343, Hawai'i Revised Statutes. The economic, social, and environmental impacts will likely occur, should this project be implemented, are adequately described in the statement for both the Option A design configuration and the Option B design configuration. The analysis, together with the comments made by reviewers, provide useful information to policy makers and the public.

My acceptance of the statement is an affirmation of the adequacy of that statement under the applicable laws. I find that the mitigation measures proposed in the environmental impact statement will minimize the negative impacts of the project. Further, I find the discussion of unresolved issues and potential for subsequent environmental review to be sufficient.

In accepting the Final EIS, I would also note the following:

- The Option A design configuration, in which the new stadium would be built generally on the same footprint as the existing Aloha stadium, largely corresponds to Hawai'i Administrative Rules §11-200.1-15(c)(2), which provides that the "Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced;..." An action such as Option A is generally exempt from HRS Chapter 343, and the Final EIS analyzes the impacts of demolition and construction of a stadium.
- The Final EIS states that "The Option A design configuration, in which the new stadium would be built on the same footprint as the existing Aloha stadium,

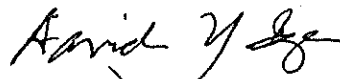
Handwritten notes in blue ink:
No State
obligated
Under the law
Stateful
State

presents the greatest construction phasing and logistical challenge as development would require phasing construction with major events (such as fall football seasons for the duration of construction)." Phasing construction with major events (such as football) should no longer be an issue since the existing Aloha Stadium is closed, the Final EIS states that it is "condemned" and "no longer safe to operate," and football has been relocated to the University of Hawai'i at Mānoa campus for the duration.

- The Final EIS further states that "Option B is not considered to be the 'correct' answer for the New Aloha Stadium location or mixed-use development location."
- Act 220, SLH 2022, transferred the administrative attachment of the Stadium Authority from the Department of Accounting and General Services to the Department of Business, Economic Development and Tourism (DBEDT) and made the DBEDT Director an *ex-officio* voting member of the Stadium Authority Board of Directors, effective as of July 1, 2022.
- Act 248, SLH 2022, appropriated \$49,500,000 of general funds to the Stadium Authority's stadium development special fund for operations, maintenance, and contract costs to developers of the stadium, effective July 7, 2022.
- Act 248, SLH 2022, also appropriated \$350,000,000 of general obligation bond funds to DBEDT for "Plans, design, construction, and equipment for a new stadium in Hālawā including renovation, renewal, refurbishment, replacement, and new construction; ground and site improvements; equipment and appurtenances; and all project related costs."

In implementing this project, I therefore direct the Department of Business, Economic Development and Tourism and/or its agents to perform the best management practices and implement the mitigation measures identified in the final environmental impact statement, or comparable mitigation measures at the discretion of the relevant agencies.

With warmest regards,



David Y. Ige
Governor, State of Hawai'i

c: Mike McCartney, DBEDT

From: webmaster@hawaii.gov
To: [DBEDT OPSD Environmental Review Program](#)
Subject: New online submission for The Environmental Notice
Date: Friday, September 16, 2022 11:09:27 AM

Action Name

Gubernatorial Acceptance of New Aloha Stadium Entertainment District Final Programmatic EIS

Type of Document/Determination

Final environmental impact statement (FEIS) acceptance or non-acceptance

HRS §343-5(a) Trigger(s)

- (1) Propose the use of state or county lands or the use of state or county funds

Judicial district

'Ewa, O'ahu

Tax Map Key(s) (TMK(s))

(1) 9-9-003: 061 and neighboring TMKs (1) 9-9-003: 055, 070, and 071

Action type

Agency

Other required permits and approvals

Many

Proposing/determining agency

Department of Accounting and General Services

Agency contact name

Otaguro Curt

Agency contact email (for info about the action)

curt.t.otaguro@hawaii.gov

Agency contact phone

(808) 586-0400

Agency address

1151 Punchbowl Street
Honolulu, HI 96813
United States
[Map It](#)

Accepting authority

Governor, State of Hawaii

Accepting authority contact name

David Ige

Accepting authority contact email or URL

<https://governor.hawaii.gov>

Accepting authority contact phone

(808) 586-0034

Accepting authority address

415 S. Beretania Street, 5th Floor
Honolulu, HI 96813
United States

[Map It](#)

Was this submittal prepared by a consultant?

No

Action summary

The Governor has accepted the Final Programmatic EIS for the New Aloha Stadium Entertainment District.

Attached documents (signed agency letter & EA/EIS)

- [2022-09-13-EIS-Memo-to-Comptroller-Signed.pdf](#)

Action location map

- [StateGISLogoRevised.zip](#)

Authorized individual

Leslie Segundo

Authorization

- The above named authorized individual hereby certifies that he/she has the authority to make this submission.



The Environmental Notice

September 23, 2022

David Y. Ige, Governor
Mary Alice Evans, Director

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under Section 343-3, Hawai'i Revised Statutes, the Environmental Impact Statement Law. Along with publishing Environmental Assessments and Environmental Impact Statements for projects in Hawai'i, *The Environmental Notice* also includes other items related to the shoreline, coastal zone, and federal activities.



These beetle larvae have been tested to only devour the noxious weed Cane Tibouchina and other related weed species

Photo from the [project's Final EA](#)

235 South Beretania Street, Suite 702 • Honolulu, Hawai'i 96813 • (808) 586-4185 • dbedt.opsd.erp@hawaii.gov • <https://planning.hawaii.gov/erp/>

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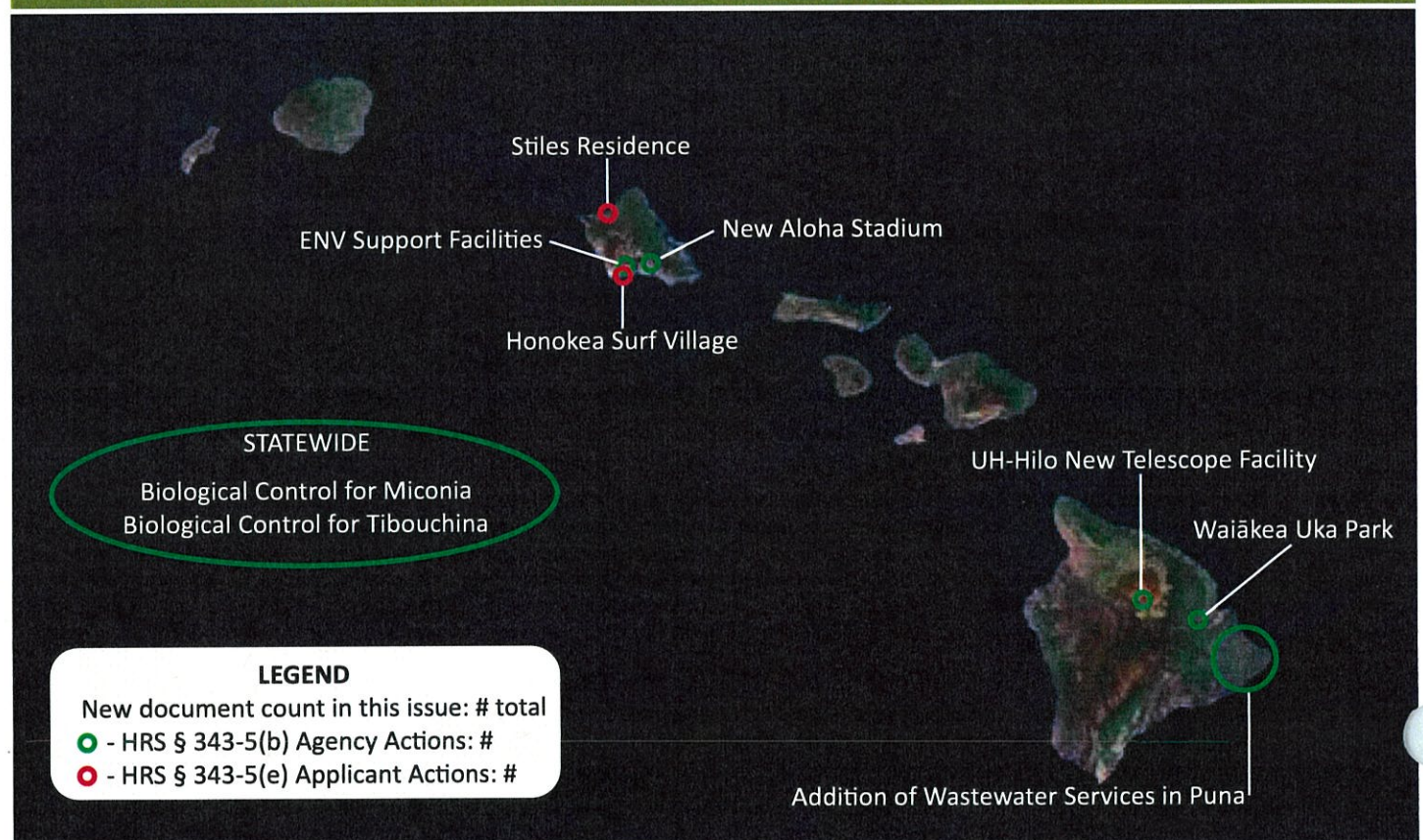
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ANNOUNCEMENTS

Please continue to use the [Contact Us page](#) as the primary means to submit questions to ERP. Our goal is to respond within 1 to 2 business days. ERP staff continues to tele-work, and responses to phone calls may be delayed.

Zoom meeting recordings of the Environmental Advisory Council (starting 4/2020) are now available via a [link](#) on our [website](#) or at <https://www.youtube.com/channel/UCYPkBGf0mCcJHPUHuoXPMGg>

STATEWIDE MAP OF NEW DOCUMENTS & DETERMINATIONS



Kamaka, Ranette I

From: Takayama, Linda C
Sent: Wednesday, September 14, 2022 10:41 AM
To: Otaguro, Curt T
Cc: Kinimaka, Chris; Hirai, Craig K; McCartney, Mike; Ige, David Y
Subject: Stadium

Curt

This is to keep you in the loop. Our current strategy is to accept the original EIS on stadium very soon, acknowledging that the responsibility and funding for the stadium now rests with the Stadium Authority and DBEDT, as authorized by the latest Act.

Both RFPs that you have been working on in DAGS should not be going forward, as we will be moving in a different direction under DBEDT. Please consider tying up any loose ends from your side .

Many thanks for all your efforts to date. Please know that Governor and I appreciate everything you and your staff have done to keep up with all the twists and turns with this issue over the years.

Hopefully, this takes a big one off your plate as you move on to your next adventure.

All the best to you.

Linda



Linda Chu Takayama
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