A BILL FOR AN ACT

RELATING TO STATE BOATING FACILITIES.

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

SECTION 1. Section 200-2.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Notwithstanding any law to the contrary, the board may lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, a request for proposals, or by direct negotiation pursuant to section 171-59 and chapter 190D, for private development, management, and operation; provided that any lease of fast lands or submerged lands pursuant to a request for proposals shall be subject to section 200-2.6, regardless to which state boating facility the fast or submerged lands are attached. No lease shall be approved by the board unless the board has first found that the lessee has:

(1) Given public notice of any proposed development plans;

(2) Engaged with the community to be affected in regard to the development plan;
(3) Considered community concerns; and
(4) Developed a plan to address adverse impacts;
provided further that prior authorization from the legislature
shall not be required for a lease pursuant to this subsection.
As used in this section, the term "state boating facility"
means a state small boat harbor, launching ramp, offshore
mooring, pier, wharf, landing, or any other area under the
jurisdiction of the department pursuant to this chapter."
SECTION 2. Section 200-2.6, Hawaii Revised Statutes, is
repealed.
"[§200-2.6] Ala Wai boat harbor; leases. The fast lands
and submerged lands of the Ala Wai boat harbor that may be
leased include the following:
(1) All fast lands and submerged lands described in the
request for qualifications or request for proposals
issued by the division of boating and ocean recreation
of the department on November 25, 2008;
(2) The fast land described as a portion of tax map key:
(1) 2 3 37-12, composed of approximately 112,580
square feet, presently used for harbor offices and
permitted vehicular parking; and
(3) The fast land described as a portion of tax map key:

(1) 2 3 37 12, which is a triangular area located

Diamond Head of Mole B, presently used for permitted

vehicular parking."

SECTION 3. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on December 31,
2050.
Report Title:
State Boating Facilities; Disposition

Description:
Allows the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation after making a finding that the lessee has met certain community involvement requirements. Clarifies that legislative approval is not required to award a lease. Repeals fast lands and submerged lands lease requirements specific to Ala Wai Boat Harbor. Takes effect on 12/31/2050. (SD1)

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