



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **619**

May 10, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on May 10, 2006, the following bill was signed into law:

HB2133 SD1

A BILL FOR AN ACT RELATING TO
THE NATURAL AREA RESERVE SYSTEM.
(ACT 89)

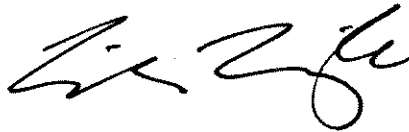
Sincerely,


LINDA LINGLE

1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

4 SECTION 5. This Act shall take effect upon its approval.

APPROVED this 10 day of MAY, 2006



GOVERNOR OF THE STATE OF HAWAII

A BILL FOR AN ACT

RELATING TO THE NATURAL AREA RESERVE SYSTEM.

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

1 SECTION 1. The legislature finds that the Kaena point
2 area, at the western-most tip of the island and comprising of
3 approximately thirty-four acres, represents the last relatively
4 intact coastal dune ecosystem remaining on Oahu. Prior to the
5 inclusion of the area into the natural area reserve system
6 managed by the department of land and natural resources, it was
7 a favored spot for off-road driving that severely degraded the
8 value of the ecosystem. The simple traversing of the area in a
9 vehicle on a then existing narrow jeep trail caused extreme
10 degradation to the resources of the area. Soon after the
11 department of land and natural resources closed the area to
12 vehicular access, the vegetation began to recover.

13 The purpose of this Act is to prohibit all public vehicular
14 access within the Kaena point natural area reserve.

15 SECTION 2. Chapter 195, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:



1 "§195- Kaena point natural area reserve; vehicular
2 access prohibited. (a) The use of any vehicle within or
3 traversing the Kaena point natural area reserve is prohibited,
4 except as provided in this section. Any violation of this
5 section shall be subject to section 195-8.

6 (b) The department may adopt rules pursuant to chapter 91
7 to allow a limited number of persons vehicular access to the
8 Kaena point natural area reserve for department-permitted
9 fishing and camping activities.

10 (c) This prohibition shall not apply to:

11 (1) Vehicles operated by personnel or agents of the
12 department of land and natural resources necessary for
13 the management and maintenance of the Kaena point
14 natural area reserve and its resources; and

15 (2) Emergency vehicles, including emergency medical
16 ambulances, police department vehicles, and fire
17 department vehicles.

18 (d) For purposes of this section, "vehicle" means every
19 motorized device in, upon, or by which any person or property is
20 or may be transported or drawn, including all-terrain vehicles
21 and mopeds."

22 SECTION 3. New statutory material is underscored.



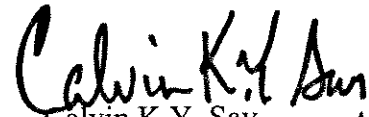
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2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

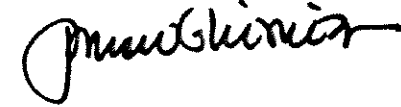
4 SECTION 5. This Act shall take effect upon its approval.

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.


Calvin K.Y. Say
Speaker
House of Representatives



Patricia Mau-Shimizu
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: April 11, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


President of the Senate


Clerk of the Senate