



EXECUTIVE CHAMBERS

HONOLULU

GOV. MSG. NO. **695**

LINDA LINGLE
GOVERNOR

June 2, 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 June 2, 2006, the following bill was signed into law:

HB1880 HD2 SD2 CD1

A BILL FOR AN ACT RELATING TO HARBORS.
(ACT 165)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

on JUN 2 2006

HOUSE OF REPRESENTATIVES
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

H.B. NO. 1880
H.D. 2
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO HARBORS.

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

1 SECTION 1. The legislature finds that maritime lands are a
2 finite resource of the State. In particular, Honolulu Harbor
3 Piers 1 and 2 contain vital and unique maritime cargo facilities
4 that cannot be easily relocated. Any relocation of these
5 facilities would be prohibitively expensive. Piers 1 and 2 and
6 the contiguous backup fast lands and access roads, comprising
7 approximately sixty-five acres, must be protected and preserved
8 to accommodate the predicted growth of future cargo requirements
9 and to permit for the safe and efficient berthing of major cargo
10 vessels. Projections made by the department of transportation,
11 harbors division, indicate that foreign cargo capacity will be
12 exhausted within five years at the present rate of growth.

13 Piers 1 and 2 are currently used for cargo yard storage
14 space. This area is expected to decrease by approximately five
15 acres with the development of part of Pier 2 as a passenger
16 cruise ship terminal.

17 The purpose of this Act is to change the boundaries of the
18 Kakaako community development district to exclude Piers 1 and 2

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1 and the contiguous backup fast lands from that district and give
2 the department of transportation, harbors division, and the
3 department of business, economic development, and tourism,
4 foreign trade zone division, jurisdiction and administrative
5 authority over the area.

6 SECTION 2. Chapter 212, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§212- Foreign trade zone; jurisdiction. Anything to
10 the contrary notwithstanding, the department of business,
11 economic development, and tourism shall have jurisdiction and
12 administrative authority over the area in the vicinity of Piers
13 1 and 2 currently being used as a foreign trade zone. This area
14 is defined as all of parcels 2 and 3-A of the Forrest Avenue
15 subdivision, as shown on the map filed in the bureau of
16 conveyances of the State of Hawaii, as file plan 2335, and lot
17 A-1, as shown on map 2, filed in the office of the assistant
18 registrar of the land court of the State of Hawaii with land
19 court application 1328; provided that all existing easements
20 affecting and appurtenant to the parcels to be deleted from the
21 Kakaako community development district boundaries shall not be
22 affected by this change."



1 SECTION 3. Chapter 266, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§266- Honolulu harbor Piers 1 and 2; jurisdiction. Any
5 law to the contrary notwithstanding, the department of
6 transportation shall have jurisdiction and administrative
7 authority over Honolulu harbor Piers 1 and 2 and the contiguous
8 backup fast lands currently used for manifested cargo and
9 passenger operations. This area is defined as all of lot 3 and
10 parcels A and B of the Forrest Avenue subdivision, as shown on
11 the map filed with the bureau of conveyances of the State of
12 Hawaii, as file plan 2335, and lot A-2, as shown on map 2, filed
13 in the office of the assistant registrar of the land court of
14 the State of Hawaii with land court application 1328; provided
15 that all existing easements affecting and appurtenant to the
16 parcels to be deleted from the Kakaako community development
17 district boundaries shall not be affected by this change."

18 SECTION 4. Section 206E-32, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§206E-32 District; established, boundaries. The Kakaako
21 community development district is established. The district
22 shall include that area bounded by King Street; Piikoi Street



1 from its intersection with King Street to Ala Moana Boulevard;
2 Ala Moana Boulevard, inclusive, from Piikoi Street to its
3 intersection with the Ewa boundary of Ala Moana Park also
4 identified as the Ewa boundary of tax map key 2-3-37:01; the Ewa
5 boundary of tax map key 2-3-37:01 from its intersection with Ala
6 Moana Boulevard to the shoreline; the shoreline from its
7 intersection with the property line representing the Ewa
8 boundary of property identified by tax map key 2-3-37:01 to the
9 property line between Pier 2 and Pier 4; the property line
10 between Pier 2 and Pier 4 from its intersection with the
11 shoreline to Ala Moana Boulevard; Ala Moana Boulevard from its
12 intersection with the property line between lands identified by
13 Pier 2 and Pier 4 to Punchbowl Street; and Punchbowl Street to
14 its intersection with King Street[-]; provided that the
15 following parcels at Pier 1 and Pier 2 shall be deleted from the
16 Kakaako community development district boundaries and conveyed
17 to the department of land and natural resources to be set aside
18 for the department of transportation and the foreign trade zone
19 division of the department of business, economic development,
20 and tourism, to ensure continued maritime and foreign commerce
21 use: all of lot 3 and parcels 2, 3-A, A, and B of the Forrest
22 Avenue subdivision, as shown on the map filed with the bureau of



1 conveyances of the State of Hawaii as file plan 2335; and lots
2 A-1 and A-2, as shown on map 2, filed in the office of the
3 assistant registrar of the land court of the State of Hawaii
4 with land court application 1328; and provided further that all
5 existing easements affecting and appurtenant to the parcels to
6 be deleted from the Kakaako community development district
7 boundaries shall not be affected by this change.

8 The district shall also include that parcel of land
9 identified by tax map key 2-1-14:16, situated mauka of Pier 6
10 and Pier 7 and makai of Nimitz Highway, being the site for the
11 existing Hawaiian Electric power plant and related facilities."

12 SECTION 5. (a) To implement this Act, the Hawaii
13 community development authority is directed to deed over to the
14 department of land and natural resources the following:

15 (1) Lot 3 and parcels 2, 3-A, A, and B of the Forrest
16 Avenue subdivision, as shown on the map filed with the
17 bureau of conveyances of the State of Hawaii, as file
18 plan 2335; and

19 (2) Lots A-1 and A-2, as shown on map 2, filed in the
20 office of the assistant registrar of the land court of
21 the State of Hawaii with land court application 1328.



1 (b) To further implement this Act, the governor is
2 directed to set aside the following lands:

3 (1) Lot 3 and parcels A and B of the Forrest Avenue
4 subdivision, as shown on the map filed in the bureau
5 of conveyances of the State of Hawaii, as file plan
6 2335, and lot A-2, as shown on map 2, filed in the
7 office of the assistant registrar of the land court of
8 the State of Hawaii with land court application 1328
9 to the department of transportation; and

10 (2) Parcels 2 and 3-A of the Forrest Avenue subdivision,
11 as shown on the map filed in the bureau of conveyances
12 of the State of Hawaii, as file plan 2335, and lot A-
13 1, as shown on map 2, filed in the office of the
14 assistant registrar of the land court of the State of
15 Hawaii with land court application 1328, to the
16 department of business, economic development, and
17 tourism, foreign trade zone division.

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 7. This Act shall take effect on July 1, 2006.

H.B. NO. 1880
H.D. 2
S.D. 2
C.D. 1

APPROVED this 2 day of JUN ,2006



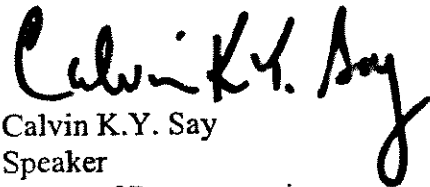
GOVERNOR OF THE STATE OF HAWAII

HB No. 1880 HD 2 SD 2 CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 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

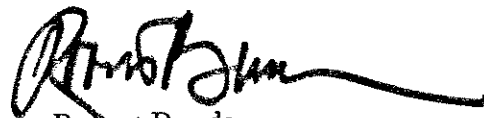


Patricia Mau-Shimizu
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

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



Robert Bunda
President of the Senate



Paul Kawaguchi
Clerk of the Senate