

JAN 25 2006

S.B. NO. 2198

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# A BILL FOR AN ACT

RELATING TO CONSERVATION AND RESOURCES.

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

1           SECTION 1. Section 200-2.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~{}~~§200-2.5~~{}~~ **Disposition of state boating facility**  
4 **properties.** (a) Notwithstanding any law to the contrary, the  
5 board may lease fast lands within an existing state boating  
6 facility by public auction or by direct negotiation pursuant to  
7 section 171-59, for private development, management, and  
8 operation. [~~For the purpose of this section, the term "state~~  
9 ~~boating facility" means a state small boat harbor, launching~~  
10 ~~ramp, offshore mooring, pier, wharf, landing, or any other area~~  
11 ~~under the jurisdiction of the department pursuant to this~~  
12 ~~chapter.~~]

13           (b) The permissible uses under any lease disposed of under  
14 this section shall be consistent with the purpose for which the  
15 land was set aside by the governor pursuant to section 171-11.  
16 Permissible uses may include any use that will complement or  
17 support the maritime activities of state boating facilities.



1 (c) Disposition of public lands of state boating  
2 facilities constructed, maintained, and operated in accordance  
3 with this chapter shall not exceed a maximum term of fifty-five  
4 years.

5 (d) All revenues due to the State derived from leases of  
6 state boating facilities shall be deposited in the boating  
7 special fund.

8 (e) Prior to opening to the public the use of a launching  
9 ramp, pier, wharf, or landing that is leased pursuant to  
10 subsection (a), the lessee shall notify the board. The board  
11 shall hold a public meeting on the issue. The board shall  
12 provide public notice and accept testimony. Before permitting  
13 the public use, the board shall make findings. If the board  
14 permits the use, the board shall give the public access to the  
15 relevant information that justifies opening the facility to use  
16 by the public.

17 (f) For the purpose of this section, the term "state  
18 boating facility" means a state small boat harbor, launching  
19 ramp, offshore mooring, pier, wharf, landing, or any other area  
20 under the jurisdiction of the department pursuant to this  
21 chapter."



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1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.  
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INTRODUCED BY:

Will Eyo  
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SB2190

**Report Title:**

Ocean Recreation; Boat Ramps; Public Hearing

**Description:**

Requires the department of land and natural resources to hold a public hearing prior to allowing the public to use a privately leased launching ramp, pier, wharf, or landing.

