

JAN 22 2008

A BILL FOR AN ACT

RELATING TO PUBLIC HUNTING AREAS.

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

1 SECTION 1. The legislature finds that hunters have
2 historically had access to various public hunting areas by
3 crossing through privately owned unimproved lands. Many of
4 these previously unimproved lands are now being developed by
5 their owners. As a result, hunters are being denied access to
6 public hunting areas by their traditional means of access.

7 The purpose of this Act is to provide hunters with access
8 to various public hunting areas via easements across privately
9 owned lands located adjacent to public hunting areas. A further
10 purpose of this Act is to appropriate funds for the acquisition
11 of easements from private owners of land adjacent to public
12 hunting areas.

13 SECTION 2. Section 171-26, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§171-26 Rights-of-way to the sea, game management areas,**
16 **and public hunting areas.** (a) Prior to the disposition of any
17 public lands, the board of land and natural resources shall lay



1 out and establish over and across such lands a reasonable number
2 of rights-of-way from established highways to the public
3 beaches, game management areas, public hunting areas, and public
4 forests and forest reserves in order that the right of the
5 people to utilize the public beaches, game management areas,
6 public hunting areas, and public forests and forest reserves
7 shall be protected.

8 Prior to the leasing of any lands, the board shall
9 determine the feasibility of hunting on such lands, and if any
10 of them is suitable for hunting or may during the term of the
11 lease become suitable for hunting, the board may reserve such
12 lands as game management areas or public hunting areas. Where
13 the board finds that hunting on such lands would not be
14 consistent with the rights of the lessee or for other good
15 cause, the board need not reserve such lands as game management
16 areas or public hunting areas.

17 The cost of such rights-of-way and any fencing [~~which~~] that
18 may be required shall be borne by the State, lessee, or jointly
19 as the board may deem appropriate prior to the leasing of such
20 lands.

21 (b) With regard to privately held property located
22 adjacent to public hunting areas, the board of land and natural



1 resources shall lay out and establish over such lands a
2 reasonable number of rights-of-way from established highways to
3 the public hunting areas in order that the right of the people
4 to utilize the public hunting areas shall be protected.

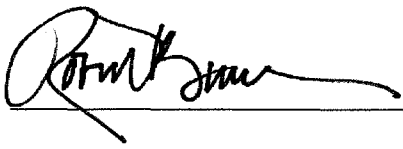
5 The department of land and natural resources shall exercise
6 its eminent domain powers to acquire such rights-of-way. The
7 costs of such rights-of-way and any fencing that may be required
8 shall be borne by the State."

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2008-2009 for
12 acquiring rights-of-way across privately owned lands to public
13 hunting areas.

14 The sum appropriated shall be expended by the department of
15 land and natural resources for the purposes of this Act.

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

18 SECTION 5. This Act shall take effect upon its approval;
19 provided that section 3 shall take effect on July 1, 2008.

20
INTRODUCED BY: 

Report Title:

Access to Public Hunting Areas; Easement; Appropriation

Description:

Provides hunters access to public hunting areas by authorizing the board of land and natural resources to establish easements across private lands and appropriating funds for the acquisition of easements.

