

JAN 21 2011

A BILL FOR AN ACT

RELATING TO COMMERCIAL ACTIVITY ON PUBLIC LANDS.

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

1 SECTION 1. Chapter 171, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§171- Commercial weddings; commercial photography;
5 permits required. (a) Before any commercial wedding activity
6 or commercial photography activity may be conducted by any
7 person on any unencumbered public lands, the person shall obtain
8 a written permit from the board of land and natural resources or
9 its authorized representative by proper delegation.

10 (b) The board shall not issue a permit or authorize the
11 issuance of a permit under section 201-14 in areas that are not
12 equipped with adequate facilities to accommodate the activity,
13 including bathroom and parking facilities. When issuing a
14 permit, the board shall pay particular attention to ensuring the
15 permitted activity does not affect the public health and safety
16 of the neighboring residents and community.

17 (c) The department of land and natural resources shall
18 revoke a permit for any infraction of the terms and conditions



1 of the permit. Any person whose permit has been revoked shall
2 not be eligible to apply for another permit until the expiration
3 of six months from the date of revocation.

4 (d) The department of land and natural resources shall
5 adopt rules in accordance with chapter 91 for the purposes of
6 this section.

7 (e) As used in this section:

8 "Commercial photography activity" means photography and
9 videography services for which compensation is received by any
10 person for goods or services, or both, rendered to customers or
11 participants in that activity, other than bonafide newsreel or
12 television news personnel.

13 "Commercial wedding activity" means services relating to
14 wedding or marriage ceremonies for which compensation is
15 received by any person for goods or services, or both, rendered
16 to customers or participants in that activity, and includes
17 activities whose base of operations is outside the boundaries of
18 the unencumbered public lands, and transportation to or from the
19 unencumbered public lands where the services are provided.

20 "Compensation" means money, barter, trade, credit,
21 services-in-kind, other instruments of value, goods, and other
22 forms of payment."



1 SECTION 2. New statutory material is underscored.

2 SECTION 3. This Act shall take effect upon its approval.

3

INTRODUCED BY:

Phailyn (BR)



Report Title:

Commercial Activity on Public Lands

Description:

Prohibits the board of land and natural resources from issuing or authorizing the issuance of permits to engage in commercial wedding or photography activity on unencumbered public lands that are not equipped with adequate facilities to accommodate the permitted activity.

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

