
A BILL FOR AN ACT

RELATING TO SMALL BOAT HARBORS.

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

1 SECTION 1. The legislature finds that the Kaho'olawe island
2 reserve commission is in need of funds so that it may fulfill
3 its duty to protect the Kaho'olawe island reserve. The
4 legislature also finds that the commission is attempting to
5 raise funds through the use of properties in Kihei, one of which
6 is the site of a planned museum that informs visitors about
7 Kaho'olawe island. The legislature believes that more people,
8 especially people who use the nearby Kihei launch ramp, are
9 likely to visit these properties if the commission has
10 management control over the Kihei launch ramp.

11 The purpose of this Act is to assist the Kaho'olawe island
12 reserve commission in its efforts by:

13 (1) Authorizing the board of land and natural resources to
14 transfer to the Kaho'olawe island reserve commission
15 the board's duties to operate, administer, manage, and
16 maintain the Kihei launch ramp, except for the



1 issuance of certain permits and the collection of
2 certain fees; and

3 (2) Authorizing the Kaho'olawe island reserve commission to
4 undertake the management of the Kihei launch ramp.

5 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§200- Kihei launch ramp; transfer of duties. (a) The
9 board may transfer to the Kaho'olawe island reserve commission
10 the board's duties under sections 200-2 and 200-3 to operate,
11 administer, manage, and maintain the Kihei launch ramp; provided
12 that all permits issued under section 200-10 shall remain under
13 the statewide boating program; and provided further that all
14 fees collected shall be deposited in the boating special fund.

15 (b) If the Kaho'olawe island reserve commission assumes
16 duties pursuant to this section, the commission shall comply
17 with this chapter and all other applicable laws.

18 (c) Notwithstanding section 37-74(d), funds may be
19 transferred between the board and the Kaho'olawe island reserve
20 commission to the extent necessary for the purposes of this
21 section; provided that any transfer of funds appropriated by the



1 legislature shall be reported to the legislature pursuant to
2 section 37-74(d)(1).

3 (d) The board shall adopt rules, pursuant to chapter 91,
4 necessary for the purposes of this section."

5 SECTION 3. Section 6K-6, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§6K-6 Responsibilities and duties of the commission. The
8 general administration of the island reserve shall rest with the
9 commission. In carrying out its duties and responsibilities,
10 the commission:

11 (1) Shall establish criteria, policies, and controls for
12 permissible uses within the island reserve;

13 (2) Shall approve all contracts for services and rules
14 pertaining to the island reserve;

15 (3) Shall provide advice to the governor, the department,
16 and other departments and agencies on any matter
17 relating to the island reserve;

18 (4) Shall provide advice to the office of planning and the
19 department of the attorney general on any matter
20 relating to the federal conveyance of Kaho'olawe;



- 1 (5) May enter into curator or stewardship agreements with
2 appropriate Hawaiian cultural and spiritual community
3 organizations for the perpetuation of native Hawaiian
4 cultural, religious, and subsistence customs, beliefs,
5 and practices for the purposes stated in section 6K-3;
- 6 (6) Shall carry out those powers and duties otherwise
7 conferred upon the board of land and natural resources
8 and the land use commission with regard to
9 dispositions and approvals pertaining to the island
10 reserve. All powers and duties of the board of land
11 and natural resources and the land use commission
12 concerning dispositions and approvals pertaining to
13 the island reserve are transferred to the commission;
- 14 (7) Shall carry out those powers and duties concerning the
15 island reserve otherwise conferred upon the county of
16 Maui by chapter 205A. The powers and duties of the
17 county of Maui and its agencies concerning coastal
18 zone dispositions and approvals pertaining to the
19 island reserve are transferred to the commission;
- 20 (8) Shall carry out those powers and duties concerning the
21 island reserve otherwise conferred upon the island



1 burial councils and the department with regard to
2 proper treatment of burial sites and human skeletal
3 remains found in the island reserve;

4 (9) May operate, administer, manage, and maintain the
5 Kihei launch ramp pursuant to section 200- ;

6 [~~(9)~~] (10) Shall adopt rules in accordance with chapter 91
7 that are necessary for the purposes of this chapter
8 and shall maintain a record of its proceedings and
9 actions;

10 [~~(10)~~] (11) May delegate to the executive director or
11 employees of the commission, by formal commission
12 action, such power and authority vested in the
13 commission by this chapter as the commission deems
14 reasonable and proper for the effective administration
15 of this chapter; and

16 [~~(11)~~] (12) May solicit and accept grants, donations, and
17 contributions for deposit into the Kaho'olawe
18 rehabilitation trust fund to support the purposes of
19 this chapter."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

BLNR; Kaho'olawe Island Reserve Commission; Kihei Launch Ramp

Description:

Authorizes the transfer of operations, administration, management, and maintenance of the Kihei Launch Ramp from BLNR to the Kaho'olawe Island Reserve Commission. Preserves DLNR authority to issue permits and collect fees due to the Boating Special Fund.

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