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# A BILL FOR AN ACT

RELATING TO STATE BOATING FACILITIES.

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

1           SECTION 1. Section 200-2.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Notwithstanding any law to the contrary, the board  
4 may lease any existing state boating facility in its entirety,  
5 and fast lands and submerged lands within [an] any existing  
6 state boating facility, by public auction, a request for  
7 proposals, or by direct negotiation pursuant to section 171-59  
8 and chapter 190D, for private development, management, and  
9 operation; provided that ~~[any lease of fast lands or submerged~~  
10 ~~lands pursuant to a request for proposals shall be subject to~~  
11 ~~section 200-2.6, regardless to which state boating facility the~~  
12 ~~fast or submerged lands are attached.]~~ no lease shall be  
13 approved by the board unless the board has first found that the  
14 lessee has:

- 15           (1) Given public notice of any proposed development plans;  
16           (2) Engaged with the community to be affected in regard to  
17           the development plan;



- 1        (3) Considered community concerns; and
- 2        (4) Developed a plan to address adverse impacts;
- 3        provided further that prior authorization from the legislature
- 4        shall not be required for a lease pursuant to this subsection.

5        As used in this section, the term "state boating facility"  
 6        means a state small boat harbor, launching ramp, offshore  
 7        mooring, pier, wharf, landing, or any other area under the  
 8        jurisdiction of the department pursuant to this chapter."

9        SECTION 2. Section 200-2.6, Hawaii Revised Statutes, is  
 10       repealed.

11       ~~["~~§200-2.6~~ Ala Wai boat harbor; leases. The fast lands~~  
 12       ~~and submerged lands of the Ala Wai boat harbor that may be~~  
 13       ~~leased include the following:~~

14       ~~(1) All fast lands and submerged lands described in the~~  
 15       ~~request for qualifications or request for proposals~~  
 16       ~~issued by the division of boating and ocean recreation~~  
 17       ~~of the department on November 25, 2008;~~

18       ~~(2) The fast land described as a portion of tax map key:~~

19       ~~(1) 2 3 37-12, composed of approximately 112,580~~  
 20       ~~square feet, presently used for harbor offices and~~  
 21       ~~permitted vehicular parking; and~~



1       ~~(3) The fast land described as a portion of tax map key:~~  
2           ~~(1) 2 3 37 12, which is a triangular area located~~  
3           ~~Diamond Head of Mole B, presently used for permitted~~  
4           ~~vehicular parking." ]~~

5           SECTION 3. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun before its effective date.

8           SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10          SECTION 5. This Act shall take effect on December 31,  
11 2050.



**Report Title:**

State Boating Facilities; Disposition

**Description:**

Allows the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation after making a finding that the lessee has met certain community involvement requirements. Clarifies that legislative approval is not required to award a lease. Repeals fast lands and submerged lands lease requirements specific to Ala Wai Boat Harbor. Takes effect on 12/31/2050. (SD1)

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

