

A Bill for an Act Relating to Public Lands of the State of Hawaii.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The third paragraph of section 171-58, Hawaii Revised Statutes, is hereby amended to read as follows:

“Disposition of water rights may be made by lease at public auction as provided in this chapter or by permit for temporary use on a month-to-month basis under such conditions which will best serve the interests of the State and

subject to a maximum term of one year and other restrictions under the law; provided, however, that any disposition by lease shall be subject to disapproval by the legislature or by two-thirds vote of either the senate or the house of representatives or by majority vote of both, in any regular or special session next following the dates of such disposition.”

SECTION 2. Section 171-59(b) of the Hawaii Revised Statutes is amended to read as follows:

“Disposition of public lands for airline, aircraft, marine and maritime operations may be negotiated without regard to the limitations set forth in subsection (a) of this section and section 171-16(c); provided that such disposition encourages competition within the aeronautical and maritime industries; and provided further, that such disposition shall not exceed a maximum term of 35 years.”

SECTION 3. Chapter 266 of the Hawaii Revised Statutes is amended by adding a new section to read as follows:

“**Sec. 266-** . Whenever any disposition of public land is made by the department of transportation, under its powers relating to public lands under its jurisdiction, to any persons, organizations, associations, corporations or clubs for recreational or social purposes, such leases, licenses, permits or right-of-entry, or any extensions thereof, covering the disposition of public lands shall contain provisions reserving adequate public right of way or public access to adjacent public areas over and across the public land disposed.”

SECTION 4. If any provision or portion thereof of this Act, or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or portions thereof or applications of the Act which can be given effect without the invalid provision or portion thereof or application, and to this and the provisions or portions thereof of this Act are severable.

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes may exclude the brackets, the bracketed material, or the underscoring.\*

SECTION 6. This Act shall take effect upon its approval.

(Approved June 18, 1970.)

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\* Edited accordingly