

HOUSE OF REPRESENTATIVES	H.B. NO.	1032
THIRTIETH LEGISLATURE, 2019		H.D. 2
STATE OF HAWAII		S.D. 2
		C.D. 1

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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:

SECTION 1. The legislature finds that climate change and sea level rise are not only real phenomena but are also two of the most preeminent challenges of the twenty-first century and are pivotal issues for the State. In 2017, the legislature created the Hawaii climate change mitigation and adaptation commission which eventually recommended the exploration of potential public-private partnerships as a way to preserve coastal resources.

The purpose of this Act is to establish a state boating facility lease pilot program for Manele small boat harbor on the island of Lanai to allow the board of land and natural resources to lease Manele small boat harbor in its entirety, and fast lands and submerged lands within it, by public auction, request for proposals, or direct negotiation for private development, management, and operation; provided that the board first finds that the

lessee has met certain community involvement requirements. This Act also streamlines the lease process by not requiring legislative approval to award a lease.

SECTION 2. (a) There is established a state boating facility lease pilot program within the department of land and natural resources to be implemented and managed by the division of boating and ocean recreation to allow the board of land and natural resources to lease Manele small boat harbor in its entirety, and fast lands and submerged lands within it, by public auction, request for proposals, or direct negotiation for private development, management, and operation; provided that the board first finds that the lessee has met certain community involvement requirements including:

- (1) Has given public notice of any proposed development plans;
- (2) Has engaged with the community to be affected in regard to the development plans;
- (3) Has considered community concerns; and
- (4) Has developed a plan to address adverse impacts.

(b) Prior authorization from the legislature shall not be required for a lease under this pilot program.

(c) The board of land and natural resources through assistance from the division of boating and ocean recreation shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular sessions of 2022, 2023, and 2024. The reports shall include a recommendation on whether the pilot program should be continued, modified, or terminated.

(d) The state boating facility lease pilot program shall cease to exist on June 30, 2024.

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

SECTION 4. This Act shall take effect upon its approval.

**Report Title:**

State Boating Facilities; DLNR; Manele Small Boat Harbor

**Description:**

Establishes a state boating facility lease pilot program to allow the Board of Land and Natural Resources to lease Manele Small Boat Harbor in its entirety, and fast lands and submerged lands within it. (HB1032 CD1)

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