

EXECUTIVE CHAMBERS

HONOLULU

June 20, 2002

COPY

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2577

Honorable Members  
Twenty-First Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2577, entitled "A Bill for an Act Relating to Development of Public Lands."

The purpose of House Bill No. 2577 is to clarify that disposition of public lands for "maritime related" operations may be negotiated without regard to limitations set forth in sections 171-59(a) and 171-16(c), Hawaii Revised Statutes.

This bill deletes the term "marine" and adds the term "maritime related" to the operations for which leases may be negotiated under the provisions of section 171-59(b), Hawaii Revised Statutes. This bill further defines "maritime related" as "a purpose or activity that requires and is directly related to the loading, off loading, storage, or distribution of goods, and services of the maritime industry" (underscoring emphasis added).


The definition of "maritime related" appears specifically to exclude activities supporting recreational boating and the ocean recreation industry that are prevalent throughout boating facilities under the jurisdiction of the Department of Land and Natural Resources, such as carrying passengers for hire and marine fueling and vessel repair facilities, which traditionally have been considered to be "maritime related." Furthermore, this bill could preclude the use of section 171-59, Hawaii Revised Statutes, for the purposes of leasing parcels within state small boat harbors to private entities for the purpose of generating additional revenue for the state boating program, and providing additional goods and

STATEMENT OF OBJECTIONS  
HOUSE BILL NO. 2577  
Page 2

services to the users of state boating facilities that are beyond the capability of state resources.

For the foregoing reasons, I am returning House Bill No. 2577 without my approval.

Respectfully,

  
BENJAMIN J. CAYETANO  
Governor of Hawaii

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P R O C L A M A T I O N

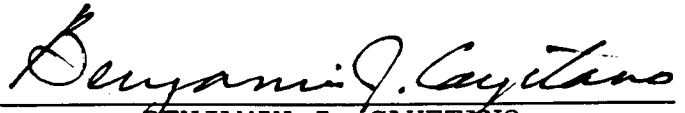
WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2577, entitled "A Bill for an Act Relating to Development of Public Lands," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2577 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of the Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2577 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 20  
day of June, 2002.

  
BENJAMIN J. CAYETANO  
Governor of Hawaii