

MAR 14 2007

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
ESTABLISH UNIFORM RULES AND PERMITTING PROCEDURES FOR
PUBLIC BEACH WEDDINGS.

1 WHEREAS, Hawaii is home to some of the world's most
2 spectacular beaches; and

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4 WHEREAS, these beautiful and serene beaches are becoming
5 popular locations for wedding ceremonies for residents of Hawaii
6 and tourists from all over the world; and

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8 WHEREAS, Hawaii has a proud history of ensuring public
9 access for all to its beaches and shorelines; and

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11 WHEREAS, recently, couples planning beach weddings in
12 Hawaii have been receiving inconsistent information on
13 permitting procedures and requirements, often being told that
14 permits are not required; and

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16 WHEREAS, on several occasions, beach wedding ceremonies
17 have been interrupted by enforcement officials from different
18 divisions of the Department of Land and Natural Resources in an
19 effort to enforce inconsistent permitting procedures; and

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21 WHEREAS, the Department of Land and Natural Resources has
22 acknowledged that uniform rules need to be adopted to address
23 these inconsistencies; and

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25 WHEREAS, chapter 171, Hawaii Revised Statutes, provides the
26 Department of Land and Natural Resources with jurisdiction over
27 public lands, which includes state-controlled beaches and small
28 boat harbors; and

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30 WHEREAS, the State's primary role in the shoreline area is
31 to preserve and protect coastal resources and support public
32 access along and below the shoreline; and

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1 WHEREAS, generally, the counties have the primary authority
2 and duty to develop and maintain public access to and along the
3 shorelines; and

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5 WHEREAS, two divisions within the State's Department of
6 Land and Natural Resources, the Conservation and Resource
7 Enforcement Division and the Division of Boating and Ocean
8 Recreation, seem to have conflicting rules regarding permit
9 requirements for beach weddings; and

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11 WHEREAS, the Conservation and Resource Enforcement
12 Division, with full police powers, enforces all state laws and
13 rules involving state lands, state parks, historic sites, forest
14 reserves, aquatic life and wildlife areas, coastal zones,
15 conservation districts, state shores, as well as county
16 ordinances involving county parks; now, therefore,

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18 BE IT RESOLVED by the Senate of the Twenty-fourth
19 Legislature of the State of Hawaii, Regular Session of 2007,
20 that the Department of Land and Natural Resources is requested
21 to establish uniform rules and permitting procedures for
22 weddings on state-controlled beaches and to ensure consistent
23 intra-agency enforcement of the rules; and

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25 BE IT FURTHER RESOLVED that the Department of Land and
26 Natural Resources is requested to cooperate with the counties in
27 establishing appropriate rules and permits for beach weddings;
28 and

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30 BE IT FURTHER RESOLVED that the Department of Land and
31 Natural Resources is requested adopt rules and permitting
32 procedures that allow for the issuance of annual and daily beach
33 wedding permits, where appropriate; and

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35 BE IT FURTHER RESOLVED that the Department of Land and
36 Natural Resources is requested to require a beach wedding permit
37 when twenty-five or more chairs are to be set-up on the beach
38 and unattended for thirty minutes or more; and

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40 BE IT FURTHER RESOLVED that the Department of Land and
41 Natural Resources submit a report on the actions taken pursuant
42 to this measure to the Legislature no later than twenty days
43 prior to the convening of the 2008 Regular Session; and

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1 BE IT FURTHER RESOLVED that certified copies of this
 2 Resolution be transmitted to the Chairperson of the Department
 3 of Land and Natural Resources, the Administrator of the Division
 4 of Boating and Ocean Recreation, the Administrator of the
 5 Conservation and Resource Enforcement Division, the Mayor of
 6 Honolulu, Mayor of Hawaii, Mayor of Kauai, and the Mayor of
 7 Maui.

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