

ACT 68

H.B. NO. 2554

A Bill for an Act Relating to Noncommercial Piers.

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

SECTION 1. Act 261, Session Laws of Hawaii 2000, is amended by amending section 1 to read as follows:

“SECTION 1. Chapter 171, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“**§171- Private [residential] noncommercial piers.** Notwithstanding any limitations to the contrary, the board of land and natural resources may lease, by direct negotiation and without recourse to public auction, state submerged lands or lands beneath tidal waters for private [residential] noncommercial piers on such terms and conditions as may be prescribed by the board.””

SECTION 2. Act 261, Session Laws of Hawaii 2000, is amended by amending section 5 to read as follows:

“SECTION 5. This Act shall take effect upon its approval; provided that the authority granted to the department of land and natural resources to enter into lease agreements with owners of private [residential] noncommercial piers shall be repealed on June 30, 2005, and the amendments made by sections 1, 2, and 3 of this Act to the Hawaii Revised Statutes, shall be repealed as of that date and sections 171-36(a) and 171-53(c), Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act; provided further that any lease agreement executed pursuant to this Act prior to June 30, 2005, or any lease extension executed thereon after the repeal of this Act, shall remain exempt from section 171-36(a)(9), Hawaii Revised Statutes, after the repeal of this Act.”

SECTION 3. Statutory material to be repealed is bracketed and stricken.

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

(Approved May 23, 2002.)