

ACT 127

S.B. NO. 1403

A Bill for an Act Relating to Department of Transportation's Maritime-Related Uses.

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

SECTION 1. The legislature finds that leasing and development procedures of the harbors division of the department of transportation are cumbersome and inflexible and are not conducive to the expeditious development of harbor lands and facilities. The legislature further finds that the economic well-being of the State depends in part on the efficient and effective use of all of its resources, and that fuller use of the State's resources will enhance and complement efforts to revitalize Hawaii's economy.

The purpose of this Act is to provide the harbors division of the department of transportation with greater flexibility to develop lands and facilities, subject to the

approval of the board of land and natural resources, without sacrificing health, safety, environmental, and shoreline management requirements.

SECTION 2. Section 171-59, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Disposition of public lands for airline, aircraft, [~~airport-related,~~] airport-related, agricultural processing, cattle feed production, aquaculture, marine, [~~and~~] maritime, and maritime-related operations may be negotiated without regard to the limitations set forth in subsection (a) and section 171-16(c); provided that:

- (1) The disposition encourages competition within the aeronautical, [~~airport-related,~~] airport-related, agricultural, aquaculture, [~~and~~] maritime, and maritime-related industries;
- (2) The disposition shall not exceed a maximum term of thirty-five years; and
- (3) The method of disposition of public lands for cattle feed production as set forth in this subsection shall not apply after December 31, 1988.

For the purpose of this subsection [~~“agricultural processing”~~]: “agricultural processing” means the processing of agricultural products, including dairying, grown, raised, or produced in Hawaii [~~and “airport-related”~~], “airport-related” means a purpose or activity that requires air transportation to achieve that purpose or activity[-], and “maritime-related” means 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.”

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved June 2, 2003.)