

JAN 18 2008

A BILL FOR AN ACT

RELATING TO BEACHES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 201B, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 **"§201B-A Visitor area beach restoration special fund. (a)**

5 There is established the visitor area beach restoration special
6 fund to be administered by the authority, into which shall be
7 deposited the revenues prescribed by section 237D-6.5(b). All
8 investment earnings from the moneys in the special fund shall be
9 credited back to the visitor area beach restoration special
10 fund.

11 (b) Moneys in the visitor area beach restoration special
12 fund shall be used to provide for the development and
13 restoration of sandy beaches and the maintenance of any
14 permanent improvements placed on the beaches or in the nearshore
15 waters for visitor area beaches throughout the State, as
16 determined by the authority, including debt service on any
17 capital expenditures projects and the contracting for services
18 for those purposes.



1 (c) For the purposes of this section, "visitor area
2 beaches" means sandy beaches within or in the near vicinity of
3 resort destination areas throughout the State, including but not
4 limited to:

5 (1) Mahaulepu-Poipu-Lawai, Kalapaki, Kapaa, and Hanalei-
6 Princeville on the island of Kauai;

7 (2) Waikiki and Makaha on the island of Oahu;

8 (3) Kapalua, Kaanapali, Kihei, Wailea, and Makena on the
9 island of Maui; and

10 (4) Kalapana, Keauhou, and Hapuna on the island of
11 Hawaii."

12 SECTION 2. Section 237D-6.5, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) Revenues collected under this chapter shall be
15 distributed as follows, with the excess revenues to be deposited
16 into the general fund:

17 (1) 17.3 per cent of the revenues collected under this
18 chapter shall be deposited into the convention center
19 enterprise special fund established under section
20 201B-8; provided that beginning January 1, 2002, if
21 the amount of the revenue collected under this
22 paragraph exceeds \$33,000,000 in any calendar year,



1 revenues collected in excess of \$33,000,000 shall be
2 deposited into the general fund;

3 (2) 34.2 per cent of the revenues collected under this
4 chapter shall be deposited into the tourism special
5 fund established under section 201B-11 for tourism
6 promotion and visitor industry research; provided that
7 [beginning]:

8 (A) Beginning on July 1, 2002, of the first
9 \$1,000,000 in revenues deposited:

10 ~~[(A)]~~ (i) Ninety per cent shall be deposited into the
11 state parks special fund established in
12 section 184-3.4; and

13 ~~[(B)]~~ (ii) Ten per cent shall be deposited into the
14 special land and development fund
15 established in section 171-19 for the Hawaii
16 statewide trail and access program;

17 ~~[provided that of the 34.2 per cent,]~~

18 (B) 0.5 per cent shall be transferred to a sub-
19 account in the tourism special fund to provide
20 funding for a safety and security budget, in
21 accordance with the Hawaii tourism strategic plan
22 2005-2015; and



1 (C) For the period beginning on July 1, 2008 and
2 ending on June 30, 2009 only, five per cent shall
3 be transferred to the visitor area beach
4 restoration special fund established in section
5 201B-A;

6 provided further that of the revenues remaining in the
7 tourism special fund after revenues have been
8 deposited as provided in this paragraph and except for
9 any sum authorized by the legislature for expenditure
10 from revenues subject to this paragraph, beginning
11 July 1, 2007, funds shall be deposited into the
12 tourism emergency trust fund, established in section
13 201B-10, in a manner sufficient to maintain a fund
14 balance of \$5,000,000 in the tourism emergency trust
15 fund; and

16 (3) 44.8 per cent of the revenues collected under this
17 chapter shall be transferred as follows: Kauai county
18 shall receive 14.5 per cent, Hawaii county shall
19 receive 18.6 per cent, city and county of Honolulu
20 shall receive 44.1 per cent, and Maui county shall
21 receive 22.8 per cent.



1 All transient accommodations taxes shall be paid into the
2 state treasury each month within ten days after collection and
3 shall be kept by the state director of finance in special
4 accounts for distribution as provided in this subsection."

5 SECTION 3. There is appropriated out of the visitor area
6 beach restoration special fund the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2008-2009 for
8 paying the entire cost of the visitor area beach restoration
9 project fronting the Royal Hawaiian Hotel on Waikiki beach on
10 Oahu.

11 The sum appropriated shall be expended by the Hawaii
12 tourism authority for the purposes of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2008.

16

INTRODUCED BY: Clarence K. Iwihara



Report Title:

Shorelines; Beach Restoration

Description:

Establishes visitor area beach restoration special fund; dedicates moneys in tourism special fund to visitor area beach restoration special fund for 1 year only. Appropriates moneys from the special fund to pay for visitor area beach restoration project on Waikiki beach fronting the Royal Hawaiian Hotel.

