
A BILL FOR AN ACT

RELATING TO AQUATIC RESOURCES.

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

1 SECTION 1. Chapter 187A, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§187A- Molokini user fees; special fund. (a) There
5 is established within the state treasury the Molokini special
6 fund, into which shall be deposited:

7 (1) Appropriations by the legislature to the special fund;

8 (2) All proceeds remitted to or collected by the
9 department derived from Molokini user fees; and

10 (3) Civil, criminal, and administrative penalties, fines,
11 and other charges collected under this section or any
12 rule adopted pursuant to this section.

13 (b) The department may require any commercial operator who
14 conducts dive tours, charters, or other activities within the
15 Molokini shoal to charge each customer of the commercial
16 operator a user fee. The commercial operator shall remit the
17 revenues derived from the collected user fees to the department;



1 provided that the commercial operator may retain \$1 of the fee
2 as an administrative cost of collecting the fee. The department
3 shall deposit the moneys from the fees collected into the
4 Molokini special fund.

5 (c) Moneys in the Molokini special fund may be expended:

6 (1) For marine enforcement and monitoring, including
7 positions for monitoring the Molokini shoal and
8 related equipment and expenses;

9 (2) Inspection, maintenance, and construction of moorings
10 and other improvements within the Molokini shoal; and

11 (3) Inspection, maintenance, and construction of moorings
12 and other improvements along leeward Maui directly
13 related to the support of commercial operators
14 conducting activities within the Molokini shoal.

15 (d) The department shall adopt rules in accordance with
16 chapter 91 to implement this section."

17 SECTION 2. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$1,360,000 or so much
19 thereof as may be necessary for fiscal year 2019-2020 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2020-2021 for deposit into the Molokini special fund.



1 SECTION 3. There is appropriated out of the Molokini
2 special fund the sum of \$1,360,000 or so much thereof as may be
3 necessary for fiscal year 2019-2020 and the same sum or so much
4 thereof as may be necessary for fiscal year 2020-2021 as
5 follows:

6 (1) The sum of \$350,000 for three full-time equivalent
7 (3.0 FTE) conservation and resources enforcement
8 officers, a vessel, and related equipment;

9 (2) The sum of \$310,000 for five full-time equivalent (5.0
10 FTE) positions to monitor commercial activities within
11 the Molokini shoal;

12 (3) The sum of \$300,000 for inspection and maintenance of
13 existing moorings within the Molokini shoal and along
14 leeward Maui; and

15 (4) The sum of \$400,000 for new moorings along leeward
16 Maui.

17 The sums appropriated shall be expended by the department
18 of land and natural for the purposes of this Act.

19 SECTION 4. New statutory material is underscored.

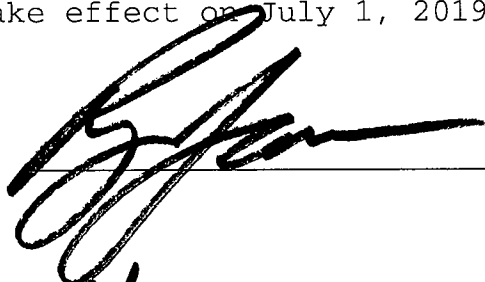


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1 SECTION 5. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:



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JAN 18 2019



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Report Title:

DLNR; Molokini; Commercial Activities; User Fee; Special Fund; Appropriation

Description:

Establishes the Molokini special fund. Authorizes the Department of Land and Natural Resources to require commercial operators who conduct activities within the Molokini shoal to charge a user fee for each customer. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

