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# A BILL FOR AN ACT

RELATING TO THE STATEWIDE BOATING PROGRAM.

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

1           SECTION 1. Section 200-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4           "State boating facility" means a state small boat harbor,  
5 launching ramp, offshore mooring, day-use mooring buoy system,  
6 pier, wharf, landing, or any other area under the jurisdiction  
7 of the department pursuant to this chapter."

8           SECTION 2. Section 200-2.5, Hawaii Revised Statutes, is  
9 amended by amending subsection (a) to read as follows:

10          "(a) Notwithstanding any law to the contrary, the board  
11 may lease fast lands and submerged lands within an existing  
12 state boating facility by public auction, a request for  
13 proposals, or by direct negotiation pursuant to section 171-59  
14 and chapter 190D, for private development, management, and  
15 operation; provided that any lease of fast lands or submerged  
16 lands pursuant to a request for proposals shall be subject to



1 section 200-2.6, regardless to which state boating facility the  
2 fast or submerged lands are attached.

3 ~~[As used in this section, the term "state boating facility"~~  
4 ~~means a state small boat harbor, launching ramp, offshore~~  
5 ~~mooring, pier, wharf, landing, or any other area under the~~  
6 ~~jurisdiction of the department pursuant to this chapter.] "~~

7 SECTION 3. Section 200-8, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 "§200-8 Boating program; payment of costs. The cost of  
10 administering a comprehensive statewide boating program,  
11 including but not limited to the cost of:

- 12 (1) Operating, maintaining, and managing all boating  
13 facilities, including any state boating facility,  
14 under the control of the department;
- 15 (2) Improving boating safety;
- 16 (3) Operating a vessel registration and boating casualty  
17 investigation and reporting system;
- 18 (4) Other boating program activities; and
- 19 (5) Planning, developing, managing, operating, or  
20 maintaining of all lands and improvements under the  
21 control and management of the board, including but not



1           limited to permanent or temporary staff positions who  
2           may be appointed without regard to chapter 76,  
3 shall be paid from the boating special fund; provided that any  
4 fees collected [~~within small boat harbors~~] from any state  
5 boating facility shall be expended only for costs related to the  
6 operation, upkeep, maintenance, and improvement of [~~the small~~  
7 ~~boat harbors.~~] any state boating facility. The amortization  
8 (principal and interest) of the costs of capital improvements  
9 for boating facilities appropriated after July 1, 1975,  
10 including but not limited to berths, slips, ramps, related  
11 accommodations, general navigation channels, breakwaters, aids  
12 to navigation, and other harbor structures, may be paid from the  
13 boating special fund or from general revenues as the legislature  
14 may authorize in each situation. Revenues provided in this  
15 chapter for the boating special fund shall be at least  
16 sufficient to pay the special fund costs established in this  
17 section."

18           SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



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

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# H.B. NO. 1460

**Report Title:**

Statewide Boating Program; Boating Special Fund; State Boating Facility; Day-Use Mooring Buoy System

**Description:**

Defines "state boating facility" to include any day-use mooring buoy system. Authorizes funds from the boating special fund to be used for any day-use mooring buoy system in the State.

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