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# A BILL FOR AN ACT

RELATING TO HARBORS.

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

1       SECTION 1. Section 266-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3       "(a) The department of transportation shall:

4       (1) Have and exercise all the powers and shall perform all  
5 the duties which may lawfully be exercised by or under  
6 the State relative to the control and management of  
7 commercial harbors, commercial harbor and waterfront  
8 improvements, ports, docks, wharves, piers, quays,  
9 bulkheads, and landings belonging to or controlled by  
10 the State, and the shipping using the same;

11       (2) Have the authority to use and permit and regulate the  
12 use of the commercial docks, wharves, piers, quays,  
13 bulkheads, and landings belonging to or controlled by  
14 the State for receiving or discharging passengers and  
15 for loading and landing merchandise, with a right to  
16 collect wharfage and demurrage thereon or therefor;



1        (3) Have the authority to negotiate leases for the non-  
2        maritime usage of commercial harbors, commercial  
3        harbor and waterfront improvements, ports, docks,  
4        wharves, piers, quays, bulkheads, and landings within  
5        the designated boundaries of the Aloha Tower complex  
6        as established by section 206J-3;

7        [~~3~~] (4) Subject to all applicable provisions of law, have  
8        the power to fix and regulate from time to time rates  
9        and charges for:

10        (A) Services rendered in mooring commercial vessels;

11        (B) The use of commercial moorings belonging to or  
12        controlled by the State;

13        (C) Wharfage or demurrage;

14        (D) Warehouse space, office space, and storage space  
15        for freight, goods, wares and merchandise; and

16        (E) The use of derricks or other equipment belonging  
17        to the State or under the control of the  
18        department;

19        [~~4~~] (5) Make other charges including toll or tonnage  
20        charges on freight passing over or across docks,  
21        wharves, piers, quays, bulkheads, or landings;



1        [~~(5)~~] (6) Appoint and remove clerks, harbor agents and  
2                their assistants, and all such other employees as may  
3                be necessary, and to fix their compensation;

4        [~~(6)~~] (7) Adopt rules pursuant to chapter 91 and not  
5                inconsistent with law; and

6        [~~(7)~~] (8) Generally have all powers necessary to fully  
7                carry out this chapter."

8        SECTION 2. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10       SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Department of Transportation; Harbors; Leases

**Description:**

Authorizes the Department of Transportation to negotiate leases for the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings within the Aloha Tower complex. (SD1)

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