
A BILL FOR AN ACT

RELATING TO STATE BOATING FACILITIES.

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

1 SECTION 1. Chapter 200, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§200- State boating facility lease program;
5 established. (a) There is established a state boating facility
6 lease program within the department to be implemented and
7 managed by the division of boating and ocean recreation under
8 which the board shall lease one state small boat harbor in its
9 entirety, including fast lands and submerged lands attached
10 thereto, for private development, management, maintenance, and
11 operation; provided that the lease shall only be issued for a
12 small boat harbor within a county with a population less than
13 nine hundred thousand; provided further that the small boat
14 harbor to be leased pursuant to the state boating facility lease
15 program shall be selected by the board of land and natural
16 resources at a public meeting held pursuant to chapter 92;
17 provided further that the lease may be issued by public auction,



1 request for proposals, or direct negotiation; and provided
2 further that no lease entered into pursuant to this section
3 shall be for a period ending after June 30, 2044.

4 (b) The state boating facility lease program shall be
5 exempt from the prior legislative authorization required by
6 section 171-60(a).

7 (c) The department shall submit a report of its findings
8 and recommendations on the state boating facility lease program,
9 including any proposed legislation and a recommendation on
10 whether the program should be continued, modified, or
11 terminated, to the legislature no later than twenty days prior
12 to the convening of each regular session."

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

15 "(a) Notwithstanding any law to the contrary, the board
16 may lease fast lands and submerged lands within an existing
17 state boating facility by public auction, a request for
18 proposals, or by direct negotiation pursuant to section 171-59
19 and chapter 190D, for private development, management,
20 maintenance, and operation[; ~~provided that any lease of fast~~
21 ~~lands or submerged lands pursuant to a request for proposals~~



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

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

7 SECTION 3. Section 200-2.6, Hawaii Revised Statutes, is
8 repealed.

9 [~~§200-2.6~~] ~~Ala Wai boat harbor; leases.~~ The fast lands
10 and submerged lands of the Ala Wai boat harbor that may be
11 leased include the following:

12 (1) ~~All fast lands and submerged lands described in the~~
13 ~~request for qualifications or request for proposals~~
14 ~~issued by the division of boating and ocean recreation~~
15 ~~of the department on November 25, 2008;~~

16 (2) The fast land described as a portion of tax map key:
17 (1) ~~2-3-37-12, composed of approximately 112,580~~
18 ~~square feet, presently used for harbor offices and~~
19 ~~permitted vehicular parking; and~~

20 (3) The fast land described as a portion of tax map key:
21 (1) ~~2-3-37-12, which is a triangular area located~~



1 ~~Diamond Head of Mole B, presently used for permitted~~
2 ~~vehicular parking."]~~

3 SECTION 4. All employees of the division of boating and
4 ocean recreation of the department of land and natural resources
5 who occupy civil service positions and whose functions are
6 replaced as a result of this Act shall retain their civil
7 service status, whether permanent or temporary. Employees shall
8 be reassigned within the division of boating and ocean
9 recreation without loss of salary, seniority (except as
10 prescribed by applicable collective bargaining agreements),
11 retention points, prior service credit, any vacation and sick
12 leave credits previously earned, and other rights, benefits, and
13 privileges in accordance with state personnel laws; provided
14 that subsequent changes in status may be made pursuant to
15 applicable civil service and compensation laws.

16 SECTION 5. There is appropriated out of the boating
17 special fund the sum of \$440,000 or so much thereof as may be
18 necessary for fiscal year 2024-2025 for the establishment of
19 four full-time equivalent (4.0 FTE) boating and ocean recreation
20 harbor agent VI positions within the division of boating and



1 ocean recreation of the department of the department of land and
2 natural resources.

3 The sum appropriated shall be expended by the department of
4 land and natural resources for the purposes of this Act.

5 SECTION 6. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 7. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 8. This Act shall take effect on July 1, 3000;
11 provided that this Act shall be repealed on June 30, 2044, and
12 sections 200-2.5(a) and 200-2.6, Hawaii Revised Statutes, shall
13 be reenacted in the form in which they read on the day prior to
14 the effective date of this Act.



Report Title:

DLNR; State Boating Facility Lease Program; Ala Wai Boat Harbor;
Leases; Repeal; Appropriation

Description:

Establishes a state boating facility lease program within the Department of Land and Natural Resources to lease 1 state small boat harbor for private development, management, maintenance, and operation. Repeals provisions related to the leasing of fast lands and submerged lands of the Ala Wai boat harbor. Appropriates moneys out of the boating special fund. Repeals on 6/30/2044. Effective 7/1/3000. (SD2)

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

