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# A BILL FOR AN ACT

RELATING TO BOATING.

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

1           SECTION 1. The legislature finds that article V, section 6  
2 of the Constitution of the State of Hawaii mandates that  
3 functions of the state government shall be allocated by law  
4 among its principal departments. Under section 200-3, Hawaii  
5 Revised Statutes, the operation, administration, and maintenance  
6 of the small boat harbors are under the department of land and  
7 natural resources. The legislature transferred the small boat  
8 harbors from the department of transportation to the department  
9 of land and natural resources, and the legislature, not the  
10 department of land and natural resources, will determine the  
11 disposition of the small boat harbors.

12           The purpose of this Act is to prohibit, unless expressly  
13 provided by law:

14           (1) The transfer of the State's small boat harbors to the  
15           counties; and

16           (2) Any state department from contracting with any county  
17           to administer and manage the State's small boat  
18           harbors.



1 SECTION 2. Section 200-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§200-2 Board of land and natural resources, powers and  
4 duties. (a) The board shall have the primary responsibility  
5 for administering the ocean recreation and coastal areas  
6 programs and performing the functions heretofore performed by  
7 the department of transportation and the department of public  
8 safety in the areas of boating safety, conservation, search and  
9 rescue, and security of small boat harbor environs.

10 (b) The board shall not transfer its jurisdiction,  
11 management, or operations of the small boat harbors to any other  
12 department or agency or any county in any manner unless  
13 expressly provided by law."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2007.



H.B. NO. 507  
H.D. 2  
S.D. 1

**Report Title:**

Small Boat Harbors; Transfer

**Description:**

Prohibits the transfer of the State's small boat harbors to a county except by statute. (SD1)

