

JAN 25 2012

A BILL FOR AN ACT

RELATING TO SAILING SCHOOL VESSELS.

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

1 SECTION 1. Section 200-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "sailing school vessel" to
3 read:

4 ""Sailing school vessel" means a vessel:

5 (1) Less than five hundred gross tons, carrying six or
6 more individuals who are sailing school students or
7 sailing school instructors principally equipped for
8 propulsion by sail even if the vessel has an auxiliary
9 means of propulsion; ~~and~~

10 (2) Owned or leased by a corporation, association,
11 organization, or other duly chartered entity
12 determined under the Internal Revenue Code to be
13 exempt from the federal income tax and operated for
14 the purpose of providing sailing instruction and
15 therapeutic, educational, recreational, vocational, or
16 family counseling services to emotionally disturbed
17 youth or to youth sentenced by the family court to a

S.B. NO. 2849

1 rehabilitative sailing program and their families[-];
2 and
3 (3) That is in compliance with the Code of Federal
4 Regulations, Title 46, Part 169 - SAILING SCHOOL
5 VESSELS."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

9

10

INTRODUCED BY: A.B.T.

11

BY REQUEST

12

13

S.B. NO. 2849

Report Title:

Sailing School Vessels

Description:

Amends the definition of "sailing school vessel" to mean, among other things, a vessel that is in compliance with the Federal Code of Regulations, Title 46, Part 169.

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

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS.

PURPOSE: Amends the definition of "sailing school vessel" to mean, among other things, a vessel that is in compliance with the Federal Code of Regulations, Title 46, Part 169.

MEANS: Amend section 200-1, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Federal Code of Regulations, Title 46, Part 169, governs sailing school vessels. Although the State recognizes the federal code, the definition of "sailing school vessel" within section 200-1, HRS, does not make any reference to the specific federal code itself.

For the sake of formal recognition in state law, this bill amends the definition of "sailing school vessel" to mean, among other things, a vessel that is in compliance with the Federal Code of Regulations, Title 46, Part 169.

Impact on the public: This bill would ensure legitimacy of sailing school vessels operating in Hawaii, by way of having to meet the federal requirements.

Impact on the department and other agencies: This bill would ensure consistency between state and federal law in regulating sailing school vessels.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION:

LNR 801.

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.