H.B. NO. 692

A BILL FOR AN ACT

RELATING TO HARBORS.

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

1 SECTION 1. Act 200, Session Laws of Hawaii 2008, 2 authorized the department of transportation to issue harbor 3 revenue bonds for harbor capital improvements authorized by Act 4 200 for certain specified capital improvement projects. The 5 capital improvements were part of the commercial harbors 6 modernization plan. Act 200 also placed into statute the 7 harbors modernization plan which was then repealed by Act 152, Session Laws of Hawaii 2011. 8

9 Act 200 also transferred jurisdiction over Hana harbor to 10 the department of transportation, excluding the small boat ramp 11 facility which remained under the jurisdiction of the department 12 of land and natural resources (section 266-1.6, Hawaii Revised 13 Statutes).

14 The legislature finds that the appropriations for capital 15 improvement projects in Act 200 were not released and the 16 funding has since lapsed. Act 200 provided for a lapse date of 17 funding on June 30, 2012, unless unencumbered as of that date. 18 An additional reason for the lack of any funding is the repeal 2013-0529 HB SMA-1.doc

Page 2

of the harbors modernization plan by Act 152. The legislature
further finds that the lack of funding for harbor improvements
is contrary to Act 200, which provides in pertinent part in
section 1 as follows:

5 "To meet the economic needs of the state, the harbors 6 division of the department of transportation must provide suitable harbor facilities and berthing piers, which in 7 8 turn ensures the efficient and timely delivery and shipment 9 of goods imported into the state. Ocean surface 10 transportation is our state's lifeline. It remains the only viable means to service the largest share of Hawaii's 11 economic needs. However, Hawaii's aging commercial harbor 12 system has not kept pace with our growing economy, and 13 14 Hawaii's commercial ports statewide are experiencing competition for berthing rights for cargo, fuel, and cruise 15 16 ship activities, and severe congestion in harbor facilities. Harbor users, the state administration, and 17 the legislature recognize that it is now extremely critical 18 to upgrade existing port facilities and develop harbor 19 20 improvements in an expedited manner."



The purpose of this Act is to authorize issuance of general
obligation bonds for certain harbor capital improvement
projects.

4 SECTION 2. The department of transportation is authorized 5 to issue harbor revenue bonds for harbor capital improvement projects authorized in section 3 of this Act and designated to 6 be financed by revenue bond funds or by general obligation bond 7 8 funds with debt service cost to be paid from special funds, in such principal amount as shall be required to yield the amounts 9 10 appropriated for such capital improvement program projects, and, 11 if so determined by the department and approved by the governor, 12 such additional amounts as may be deemed necessary by the 13 department to pay interest on such revenue bonds during the 14 estimated construction period of the capital improvement project for which such harbor revenue bonds are issued to establish, 15 maintain, or increase reserves for the harbor revenue bonds or 16 harbor revenue bonds heretofore authorized (whether authorized 17 18 and issued or authorized and still unissued), and to pay the expenses of issuance of such bonds. The aforementioned harbor 19 revenue bonds shall be issued pursuant to part III of chapter 20 39, Hawaii Revised Statutes, as the same may be amended from 21 The principal of and interest on harbor revenue 22 time to time.



Page 4

H.B. NO. 692

1 bonds, to the extent not paid from the proceeds of such bonds, 2 shall be payable solely from and secured solely by the revenues 3 derived from harbors and related facilities under the ownership of the State or operated and managed by the department, 4 including rents, mooring, wharfage, dockage, pilotage fees, and 5 6 other fees or charges presently or hereafter derived from or 7 arising through the ownership, operation, and management of harbor and related facilities and the furnishing and supplying 8 of the services thereof. The expenses of the issuance of such 9 harbor revenue bonds shall, to the extent not paid from the 10 proceeds of such bonds, be paid from the harbor special fund. 11 The governor, in the governor's discretion, is authorized 12 to use the harbor special fund to finance those projects 13 authorized in section 3 of this Act where the method of 14 financing is designated to be by harbor revenue bond funds. 15 SECTION 3. The following sums, or so much thereof as may 16 be sufficient to accomplish the purposes designated herein, are 17 hereby appropriated or authorized, as the case may be, from the 18 harbor revenue bond funds for the fiscal years beginning July 1, 19 2013, and ending June 30, 2017, and all intervening fiscal 20 The sums appropriated shall be expended by the 21 years. department of transportation for the purposes of this Act. 22



Page 5

1	1.	HMP - Kapalama military reservation		
2		improvements, Honolulu harbor		
3		Design and construction for the		
4		development of a new container terminal		
5		facility		
6		Design	\$26,900,000	
7		Construction	\$ 3,000,000	
8		Total funding	<i>,</i>	\$29,900,000
9	2.	HMP – Kalaeloa Barbers Point h	arbor	
10		infrastructure improvements, Oahu		
11		Design of utility and infrastructure improvements		
12		Design	\$300,000	
13		Total funding		\$300,000
14	3.	HMP - Kalaeloa Barbers Point harbor		
15		fuel pier improvements, Oahu		
16		Design of new fuel pier and other site		
17		related improvements		
18		Design	\$6,300,000	
19		Total Funding		\$6,300,000
20	4.	HMP - Pier 4 interisland cargo	, ,	
21		terminal, Hilo harbor, Hawaii		



Page 6

1		Design of additional interisland cargo		
2		terminal areas including a pier, yard,		
3		roadways, and utilities		
4		Design	\$13,400,000	
5		Total funding		\$13,400,000
6	5.	HMP - Kahului harbor land acquisition		
7		and improvements, Maui		
8		Purchase additional land and subsequent		
9		design of improvements for the acquired		
10		land	·	
11		Land	\$15,000,000	
12		Design	\$ 2,000,000	
13		Total funding		\$17,000,000
14	6.	HMP - Hana harbor, Maui		
15		Development of infrastructure,		
16		demolition, as necessary, and expansion		
17		of facilities		
18		Total funding		\$20,000,000
19	7.	HMP - West harbor barge-ferry s	lip,	
20		Kahului harbor, Maui		



```
Page 7
```

1		Design for a new west harbor barge-		
2		ferry slip and associated site work		
3		improvements		
4		Design	\$8,000,000	
5		Total funding		\$8,000,000
6	8.	HMP - West harbor dredging and		
7		breakwater, Kahului harbor, Maui		
8		Design for west harbor breakwater,		
9		dredging and associated improvements		
10		Design	\$3,000,000	
11		Total funding		\$3,000,000
12	9.	HMP - West harbor cruise terminal		
13		Kahului harbor, Maui		
14		Design of a cruise terminal including		
15		paving, utilities, security, and other		
16		site work improvements		
17		Design	\$3,000,000	
18		Total funding		\$3,000,000
19	10.	HMP - East harbor breakwater, Kahu	ılui	
20		harbor, Maui		
21		Design of the east harbor breakwater		
22		and related improvements		



1		Design	\$3,000,000	
2		Total funding		\$3,000,000
3	11.	HMP – Pier 2 improvements, Kahului		
4		harbor, Maui		
5		Design of improvements to the pier		
6		including strengthening, bollard		
7		replacement, dredging, and		
8		environmental permitting		
9		Design	\$500,000	
10		Total funding		\$500,000
11	12.	HMP - Kawaihae harbor development	plan,	
12		Hawaii		
13		Development plan for improving new		
14		terminal cargo facilities at Kawaihae		
15		harbor		
16		Plans	\$500,000	
17		Total funding		\$500,000
18	13.	HMP - Pier 2 terminal improvements	\$,	
19		Kawaihae harbor, Hawaii		
20		Design and construction of termina	1	
21		improvements including and not lim	nited	
22		to paving, utilities, relocation of	of the	
	2013-0529 HB SMA-1.doc			

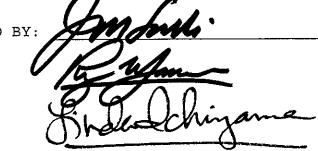
.

1		harbor agent's office, and interim		
2		ferry improvements	、	
3		Design	\$ 5,000,000	
4		Construction	\$21,000,000	
5		Total funding		\$26,000,000
6	14.	HMP - Pier 4, Kawaihae harbor, Ha	awaii	
7		Design of a multi user pier 4 and		
8		associated site work		
9		Design	\$9,000,000	
10		Total funding		\$9,000,000
11	15.	HMP - Multi User Pier 4, Nawiliwili		
12		harbor		
13		Design of new pier improvements and		
14		related site and utility work		•
15		Design	\$300,000	,
16		Total funding		\$300,000
17	16.	HMP - Construction management support,		
18		statewide		
19		Construction consultant services during		
20		construction of harbor modernization		
21		plan projects at harbor facilities		
22		statewide		

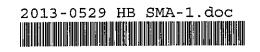


,

$\langle $					
1	Construction	\$2,400,000			
2	Total funding		\$2,400,000		
3	17. HMP - Harbors division capita	al			
4	improvement program staff cos	st,			
5	statewide costs related to wa	ages and	`		
6	fringes for permanent harbor				
7	modernization plan project funded				
8	positions				
9	Planning	\$1,735,000			
10	Total funding		\$1,735,000		
11	The appropriations made for the capital improvement				
12	projects authorized by this Act shall not lapse at the end of				
13	the fiscal biennium for which the appropriation is made;				
14	provided that all moneys from the appropriation unencumbered as				
15	of June 30, 2016, shall lapse as of that date.				
16	SECTION 4. This Act shall t	ake effect on July 1	, 2013.		
17		1 r.			
		mand.			



JAN 2 2 2013



. .

Report Title:

Harbors; Capital Improvement Projects; Revenue Bond; Appropriation

Description:

Authorizes department of transportation to issue revenue bonds for capital improvement projects for harbor improvements.

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

