
A BILL FOR AN ACT

RELATING TO SMALL BOAT HARBORS.

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 part I to be appropriately
3 designated and to read as follows:

4 "§200- Small boat harbor commercial vessel special

5 fund. (a) There is established the small boat harbor
6 commercial vessel special fund to be administered by the
7 department.

8 (b) The following shall be deposited into the small boat
9 harbor commercial vessel special fund:

10 (1) Appropriations by the legislature;

11 (2) The portion of fees designated under section
12 200-10(c) (5) for deposit into the small boat harbor
13 commercial vessel special fund; and

14 (3) Moneys derived from interest, dividends, or other
15 sources.

16 (c) Moneys in the small boat harbor commercial vessel
17 special fund shall be expended exclusively for improvements that



1 primarily benefit commercial vessels that utilize state small
2 boat harbors."

3 SECTION 2. Section 200-10, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (c) to read:

6 "(c) The permittee shall pay moorage fees to the
7 department for the use permit that shall be based on but not
8 limited to the use of the vessel, the vessel's effect on the
9 harbor, use of facilities, and the cost of administering the
10 mooring program; provided that:

11 (1) Except for commercial maritime activities in which a
12 tariff is established by the department of
13 transportation, moorage fees shall be established by
14 appraisal by a state-licensed appraiser approved by
15 the department;

16 (2) For commercial maritime activities in which a tariff
17 is established by the harbors division of the
18 department of transportation, the department may adopt
19 the published tariff of the harbors division of the
20 department of transportation or establish the fee by



- 1 appraisal by a state-licensed appraiser approved by
2 the department;
- 3 (3) An application fee shall be collected when applying
4 for moorage in state small boat harbors and shall
5 thereafter be collected annually when the application
6 is renewed; provided that the application fee shall be
7 set by the department;
- 8 (4) If a recreational vessel is used as a place of
9 principal habitation, the permittee shall pay, in lieu
10 of the moorage fee required by paragraph (1), a
11 monthly liveaboard fee that shall be two times the
12 moorage fee that would otherwise be assessed for a
13 vessel of the same size;
- 14 (5) If a vessel is used for commercial purposes from the
15 vessel's permitted mooring, the permittee shall pay,
16 in lieu of the moorage fee required by paragraph (1),
17 a monthly fee that shall be the greater of:
- 18 (A) [~~Three~~] ____ per cent of the gross revenues
19 derived from the use of the vessel;
- 20 (B) \$1.50 per passenger carried for hire; or



1 (C) Two times the moorage fee that would otherwise be
2 assessed for a recreational vessel of the same
3 size;

4 provided that per cent of the revenues collected
5 under this paragraph shall be deposited into the small
6 boat harbor commercial vessel special fund established
7 under section 200- ;

8 (6) The department is authorized to assess and collect
9 utility fees, including electrical and water charges,
10 and common-area maintenance fees in small boat
11 harbors; and

12 (7) All fees established by appraisal pursuant to this
13 subsection shall be set at fair market value."

14 2. By amending subsection (h) to read:

15 "(h) [~~All~~] Unless otherwise specified, all revenues from
16 the foregoing operations shall be deposited in the boating
17 special fund."

18 SECTION 3. Section 200-34, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "**§200-34 Disposition of revenues.** [~~All~~] Unless otherwise
21 specified, all fees and penalties collected pursuant to sections



1 200-10, 200-14, 200-14.5, and 200-32, and all fees and penalties
2 established by rules adopted pursuant to sections 200-4 and
3 200-24, shall be deposited in the boating special fund."

4 SECTION 4. The director of finance is authorized to issue
5 general obligation bonds, with debt service to be paid from
6 special funds, in the sum of \$ or so much thereof as
7 may be necessary and the same sum or so much thereof as may be
8 necessary is appropriated for fiscal year 2025-2026 for the
9 purpose of capital improvement projects for LNR801 - ocean-based
10 recreation, as follows:

11 1. Ala Wai small boat harbor front row
12 pier repairs Honolulu, Oahu
13 Design and construction for repair
14 and reconstruction of existing finger
15 piers along front row.

16 Total funding \$

17 2. Haleiwa small boat harbor, Oahu
18 Replace existing concrete marginal
19 wharf with new pile guided aluminum
20 framed floating dock, including water
21 and electrical service.



1 SECTION 5. Any provision of this Act to the contrary
2 notwithstanding, the appropriations made for capital improvement
3 projects authorized under this Act shall not lapse at the end of
4 the fiscal biennium for which the appropriation is made;
5 provided that all moneys from the appropriations unencumbered as
6 of June 30, 2028, shall lapse as of that date.

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

9 SECTION 7. This Act shall take effect on July 1, 3000.



Report Title:

Small Boat Harbors; Commercial Vessels; DLNR; Bonds;
Appropriation

Description:

Establishes the Small Boat Harbor Commercial Vessel Special Fund. Increases moorage fees for commercial vessels. Requires that revenue from the fee increase be used by the Department of Land and Natural Resources for improvements that primarily benefit commercial vessels that utilize state small boat harbors. Authorizes the issuance of general obligation bonds with debt service to be paid from special funds, for repairs of various harbors. Appropriates funds. Effective 7/1/3000.

(HD1)

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