

ACT 127

An Act Relating to Harbor Improvements and Financing Thereof from the Proceeds of Harbor Revenue Bonds Heretofore Issued by the Board of Harbor Commissioners.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Authorization. Subject to the contractual obligations assumed by the board of harbor commissioners of the State of Hawaii under any resolutions heretofore adopted by the board of harbor commissioners under and pursuant to which revenue bonds of the board of harbor commissioners payable solely from the revenues derived from the public undertaking referred to in such resolutions are now outstanding, the board of harbor commissioners is hereby authorized to expend the proceeds of harbor revenue bonds authorized and issued pursuant to the provisions of Act 103, Session Laws of Hawaii 1957, for the following purposes for which the proceeds of the sale of such harbor revenue bonds are hereby appropriated, that is,

HARBOR AND WATERFRONT IMPROVEMENTS

(To be expended under the direction of the board of harbor commissioners.)

1. For improvement of Honolulu Harbor, including additional freight terminal facilities, expansion of containerization facilities, relocation of public health service boat harbor, alteration of existing piers and harbor facilities, construction of barge wharf, reclamation of land, plans, dredging, improvements to the land, acquisition of land and other necessary expenses for the improvement of the harbor facilities in Honolulu Harbor\$5,350,000.00
2. For improvement of Hilo Harbor, including plans, dredging, construction and extension of wharves, acquisition of

- land, and other necessary expenses for the improvement of the harbor facilities in Hilo Harbor\$ 150,000.00
3. For improvement of Kahului Harbor, Maui, including plans, dredging, creation of filled land, improvements to land, acquisition of land, construction of wharves, sheds, apron and other works, property or structures necessary for the improvement of Kahului Harbor.....\$1,000,000.00

The public undertaking, the revenues of which are hereby charged with the payment of the principal and interest of all of said harbor revenue bonds, is the public undertaking heretofore described in the proceedings under which said bonds have been issued and are outstanding, to-wit: All of the harbor and waterfront improvements and other properties under the jurisdiction, control and management of the board of harbor commissioners, except such as are principally used for recreation or the landing of fish, but such exception shall not apply to the properties under the jurisdiction, control and management of said board at Kewalo Basin, ewa of Ala Moana Park, Honolulu.

SECTION 2. Notwithstanding any other provision in the statute to the contrary, the board of harbor commissioners, from the harbor board special fund, is hereby authorized to pay the costs of obtaining the consent of the holders of the issued and outstanding harbor revenue bonds to the use and application of the proceeds of the sale of said bonds to any or all of the propositions authorized by this Act and all other expenses, including plans, surveys, appraisals, engineering reports, and reports and approvals of financial consultants and attorneys for the purpose of carrying out the purposes and intent of this Act.

In case the amount specified in any item of section 1 shall not be wholly required to complete the work on such item, the unrequired balance may, after the completion of said work, or after it is definitely found by the board of harbor commissioners that not more than a specified amount, less than the whole amount, will be required to complete said work, be expended by the board of harbor commissioners for the work specified in any other item. Notwithstanding any other provision in the statute to the contrary, by resolution of the board of harbor commissioners, funds from the harbor board special fund may be used to supplement funds for any item.

The authority hereby vested in the board of harbor commissioners of the State of Hawaii may be exercised by any successor to said board of harbor commissioners, including the department of transportation of the State of Hawaii when and if the functions, duties and powers of the board of harbor commissioners of the State of Hawaii shall be transferred to said department of transportation pursuant to law.

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

(Approved June 22, 1961:) S.B. 896.