

ACT 126

H.B. NO. 2233

A Bill for an Act Relating to State Marine Waters.

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

SECTION 1. Chapter 187A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§187A- **State marine waters.** As used in this chapter, state marine waters shall be defined as extending from the upper reaches of the wash of the waves on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea, notwithstanding any law to the contrary.”

SECTION 2. Chapter 188, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§188- **State marine waters.** As used in this chapter, state marine waters shall be defined as extending from the upper reaches of the wash of the waves on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea, notwithstanding any law to the contrary.”

SECTION 3. Chapter 189, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§189- State marine waters. As used in this chapter, state marine waters shall be defined as extending from the upper reaches of the wash of the waves on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea, notwithstanding any law to the contrary.”

SECTION 4. Chapter 190, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§190- State marine waters. As used in this chapter, state marine waters shall be defined as extending from the upper reaches of the wash of the waves on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea, notwithstanding any law to the contrary.”

SECTION 5. Section 190D-3, Hawaii Revised Statutes, is amended by amending the definition of “state marine waters” to read as follows:

““State marine waters” means all waters of the State, including the water column and water surface, extending from the upper reaches of the wash of the waves [to the oceanic boundaries of the State.] on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea, notwithstanding any law to the contrary.”

SECTION 6. Section 195D-2, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““State marine waters” means all waters of the State extending from the upper reaches of the wash of the waves on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea, notwithstanding any law to the contrary.”

SECTION 7. Section 205A-1, Hawaii Revised Statutes, is amended by amending the definition of “coastal zone management area” to read as follows:

““Coastal zone management area” means [the waters from the shoreline to the seaward limit of the State’s jurisdiction] all marine waters extending from the upper reaches of the wash of the waves on shore seaward to the limit of the State’s police power and management authority, including the U.S. territorial sea and all land areas excluding those lands designated as state forest reserves.”

SECTION 8. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 9. This Act shall take effect upon its approval.

(Approved June 15, 1990.)

Note

1. Edited pursuant to HRS §23G-16.5.