

ACT 270

H.B. NO. 507

A Bill for an Act Relating to Boating.

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

SECTION 1. The legislature finds that article V, section 6 of the Constitution of the State of Hawaii mandates that functions of the state government shall be allocated by law among its principal departments. Under section 200-3, Hawaii Revised Statutes, the operation, administration, and maintenance of the small boat harbors are under the department of land and natural resources. The legislature transferred the small boat harbors from the department of transportation to the department of land and natural resources, and the legislature, not the department of land and natural resources, will determine the disposition of the small boat harbors.

The purpose of this Act is to prohibit, unless expressly provided by law:

- (1) The transfer of the State's small boat harbors to the counties; and
- (2) Any state department from contracting with any county to administer and manage the State's small boat harbors.

SECTION 2. Section 200-2, Hawaii Revised Statutes, is amended to read as follows:

“§200-2 Board of land and natural resources, powers and duties. (a) The board shall have the primary responsibility for administering the ocean recreation and coastal areas programs and performing the functions heretofore performed by the department of transportation and the department of public safety in the areas of boating safety, conservation, search and rescue, and security of small boat harbor environs.

(b) The board shall not transfer its jurisdiction, management, or operations of the small boat harbors to any other department or agency or any county in any manner unless expressly provided by law.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2007.

(Became law on July 10, 2007, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)