

## ACT 96

H.B. NO. 1168

A Bill for an Act Relating to the Boating Special Fund.

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

SECTION 1. The legislature finds that the boating special fund is the sole funding source of the department of land and natural resources, division of boating and ocean recreation's capital improvement projects; repair and maintenance of public lands, small boat harbors, and boating and ocean recreational facilities; and education programs. The legislature further finds that the division of boating and ocean recreation would be able to generate additional revenue for the boating special fund if the division had the capacity to plan, develop, and manage currently underutilized public lands and improvements under its jurisdiction. This expanded capacity will only be possible if the division is able to hire additional full- and part-time staff.

SECTION 2. Section 200-8, Hawaii Revised Statutes, is amended to read as follows:

**“§200-8 Boating program; payment of costs.** The cost of administering a comprehensive statewide boating program, including but not limited to the cost of:

- (1) Operating, maintaining, and managing all boating facilities under the control of the department;
- (2) Improving boating safety;
- (3) Operating a vessel registration and boating casualty investigation and reporting system; ~~and~~
- (4) Other boating program activities[;]; and
- (5) Planning, developing, managing, operating, or maintaining of all lands and improvements under the control and management of the board, including but not limited to permanent or temporary staff positions who may be appointed without regard to chapter 76,

shall be paid from the boating special fund; provided that any fees collected within small boat harbors shall be expended only for costs related to the operation, upkeep, maintenance, and improvement of the small boat harbors. The amortization (principal and interest) of the costs of capital improvements for boating facilities appropriated after July 1, 1975, including but not limited to berths, slips, ramps, related accommodations, general navigation channels, breakwaters, aids to navigation, and other harbor structures, may be paid from the boating special fund or from general revenues as the legislature may authorize in each situation. Revenues provided in this chapter for the boating special fund shall be at least sufficient to pay the special fund costs established in this section.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2015.

(Approved June 5, 2015.)