

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the House Committee on
WATER AND LAND**

**Friday, March 20, 2015
11:00 AM
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 1124
RELATING TO USE PERMITS FOR SMALL BOAT HARBORS.**

Senate Bill 1124 proposes to clarify that a person at least eighteen years of age need not obtain a marine surveyor's inspection nor provide documentation that the person is the owner of a vessel in order to be placed on a waitlist for a use permit to moor a vessel in a state small boat harbor. **The Department of Land and Natural Resources (Department) strongly supports this Administration measure and offers one additional revision.**

Act 10, Session Laws of Hawaii 2014, amended section 200-10(b), Hawaii Revised Statutes, to require that a person must be at least eighteen years of age prior to obtaining a use permit or being placed on a waitlist for a use permit. However, the manner in which the statutory language in the Act was structured has the unintended consequence of requiring that a person at least eighteen years of age to have obtained a vessel and a vessel inspection prior to being placed on the waitlist for a mooring permit. This requirement is unrealistic as the majority of people requesting to be placed on the waitlist do not own a vessel at the time they apply since they do not have a place to moor the vessel.

The Department suggests that Section 200-10, Hawaii Revised Statutes, subsection (b)(1) should be amended to clarify that as an alternative to a vessel inspection by a marine surveyor, a vessel inspection can be conducted by an approved vessel inspector employed by the department, as defined in Section 13-231-45 Hawaii Administrative Rules. Without the addition of this language Hawaii residents will potentially incur additional unnecessary cost and inconvenience in obtaining a vessel inspection prior to obtaining a mooring. The following is the Department's suggested revision to Section 200-10, Hawaii Revised Statutes, subsection (b)(1):

CARTY S. CHANG
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BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

SECTION 1. Section 200-10, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) In order to obtain a permit [~~;~~] or a permit renewal, [~~or to be placed on the waitlist for a permit,~~] the owner of a vessel shall provide, at the owner's own expense:

- (1) A marine surveyor's inspection or a vessel inspection by the department, no more than two years old, certifying that [~~the surveyor has inspected~~] has been inspected and [~~considers it to fulfill~~] fulfills the requirements set by the department;

cullen4-Rachele

From: mailinglist@capitol.hawaii.gov
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SB1124

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Testimony for WAL on Mar 20, 2015 11:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Oppose	No

Comments:

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