

STAND. COM. REP. NO.

125

Honolulu, Hawaii

Feb 7, 2007

RE: H.B. No. 189
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Tourism & Culture, to which was referred
H.B. No. 189 entitled:

"A BILL FOR AN ACT RELATING TO CRUISE SHIP FEES,"

begs leave to report as follows:

The purpose of this bill is to ensure that cruise ships
appropriately reimburse the State to compensate for their use of
small boat harbors by:

- (1) Requiring the Department of Land and Natural Resources
(DLNR) to provide an annual report to the Legislature
regarding the total costs incurred by DLNR in addressing
the usage activities of cruise ships at state small boat
harbors;
- (2) Specifying that all fees assessed upon cruise ships
shall be set by statute; and
- (3) Requiring DLNR to submit, on an annual basis, proposed
legislation to the Legislature recommending the amount
of fees to be assessed on cruise ships.

DLNR offered comments on this bill.

Your Committee believes that additional information regarding
the costs incurred by DLNR in addressing the usage activities of
cruise ships will be a valuable resource for the State. However,

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your Committee notes that strong concerns were raised by DLNR during the public hearing regarding the provisions specifying that fees are to be set by statute. DLNR indicated that guidelines for charging cruise ship fees are already covered under federal law and are defined in the 1884 Rivers and Harbors Appropriation Act.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the provisions:
 - (A) Specifying that fees be set by statute; and
 - (B) Requiring DLNR to submit proposed legislation recommending the amount of fees to be assessed on cruise ships;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 189, H.D. 1, and be referred to the Committees on Transportation and Water, Land, Ocean Resources & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Tourism & Culture,


RYAN I. YAMANE, Chair



