

STAND. COM. REP. NO. 2478

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 2196  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committees on Economic Development and Taxation and  
Water and Land, to which was referred S.B. No. 2196 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN  
WATERS,"

beg leave to report as follows:

The purpose of this measure is to authorize the Department of  
Land and Natural Resources to regulate commercial activity on  
ocean waters, not including those functions of the Department of  
Transportation under chapter 266, Hawaii Revised Statutes.

Testimony in support of this measure was received from the  
Department of Land and Natural Resources and four individuals.  
The Ocean Tourism Coalition and Paradise Cruise, Ltd., testified  
in opposition.


Your Committees find that new and expanded developments in  
residential and visitor destination areas along Hawaii's coastline  
have resulted in increased commercial activity on ocean waters.  
More commercial activity has led, in turn, to conflicts among  
users and adverse effects on the marine environment. Your  
Committees have addressed the concern that this measure would add  
another layer of regulation, and believe that, as amended, this  
measure is a step in beginning to resolve these and other issues  
in a comprehensive manner.

Your Committees have amended this measure accordingly, by:

- (1) Authorizing DLNR to regulate commercially permitted use of both governmental and private boating facilities, and commercial activity in private marinas; and
- (2) Making the effective date July 1, 2030, for the purpose of continued discussions.


As affirmed by the records of votes of the members of your Committees on Economic Development and Taxation and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2196, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2196, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Economic  
Development and Taxation and  
Water and Land,



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CLAYTON HEE, Chair



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CAROL FUKUNAGA, Chair





The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 2196</b>	Committee Referral: <b>EDT / WTL / WAW</b>	Date: <b>2-12-08</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol	/			
TOKUDA, Jill N.				/
WHALEN, Paul	/			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Russell S. Kohl</div>				
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\*Only one measure per Record of Votes