

STAND. COM. REP. NO.

1175

Honolulu, Hawaii

APR 06 2009

RE: H.B. No. 1141  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committees on Water, Land, Agriculture, and Hawaiian Affairs and Economic Development and Technology, to which was referred H.B. No. 1141, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION,"

beg leave to report as follows:

The purpose of this measure is to authorize government personnel conducting operations approved by the Department of Land and Natural Resources (DLNR) and film permit holders involved in film production conducting operations approved by DLNR to operate thrill crafts in non-designated areas, and require thrill craft involved in film production to be assessed the same fees as boats and vessels.

Testimony in support of this measure was submitted by two state agencies, one county agency, four organizations, and seven public citizens. Testimony in opposition was submitted by one neighborhood board and four public citizens. Written testimony presented to your Committees may be reviewed on the Legislature's website.

Your Committees find that thrill craft are only permitted in designated areas. However, thrill craft have proven to be an effective tool for monitoring natural resources and providing public safety. Jet skis, for example, are able to access areas that boats are unable to operate in, due to jet ski's minimal draft and jet drive systems. This measure will permit government



personnel conducting operations approved by DLNR to operate thrill craft in non-designated areas, thus allowing DLNR staff to access shallow nearshore areas to monitor the effect of the newly implemented ban on the use of lay gill nets around Maui, conduct shallow water fish and habitat surveys, assess and survey opihi populations, and map water quality using Geographic Information System linked instruments.

Your Committees further find that the use of thrill craft for film production operations is limited to water safety usage in designated areas. This measure would permit the use of thrill craft in non-designated areas approved by DLNR for water safety, transport of cast and crew members, and camera positioning. Hawaii has a global reputation for pristine waters and world class surf, which attracts film productions. Many of the top water safety experts in the film industry are from Hawaii. Film productions are temporary, and stimulate the economy by providing well paying jobs and positive exposure for the State.

Your Committees have amended this measure by:

- (1) Removing the fee assessment, which can be assessed through the film permit process authorized by the Memorandum of Agreement between DLNR and the Department of Business, Economic Development, and Tourism;
- (2) Inserting a sunset date of June 30, 2014 for the authorization of film permit holders involved in film production to operate thrill craft; and
- (3) Requiring that DLNR and the Hawaii Film Office report to the Legislature annually on the implementation and use by film permit holders of thrill craft pursuant to this measure.

As affirmed by the records of votes of the members of your Committees on Water, Land, Agriculture, and Hawaiian Affairs and Economic Development and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1141, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1141, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committees on Water, Land,  
Agriculture, and Hawaiian  
Affairs and Economic  
Development and Technology,

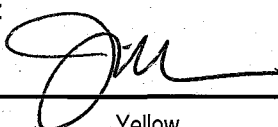
  
CAROL FUKUNAGA, Chair

  
CLAYTON HEE, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii


**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WTL**

Bill / Resolution No.:* <b>HB 1141, HD1</b>	Committee Referral: <b>WTL/EDT</b>	Date: <b>3/18/09</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)	✓			
TOKUDA, Jill N. (VC)	✓			
BUNDA, Robert				✓
FUKUNAGA, Carol	✓			
KOKUBUN, Russell S.				✓
TAKAMINE, Dwight Y.	✓			
HEMMINGS, Fred				✓
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Economic Development and Technology**  
**EDT**

Bill / Resolution No.:* <b>HB1141, HD1</b>	Committee Referral: <b>WTL/EDT</b>	Date: <b>3-20-09</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
FUKUNAGA, Carol (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
HEE, Clayton				✓
IGE, David Y.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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