

STAND. COM. REP. NO.

831

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 68
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 68, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources to regulate commercial enterprises that originate from private marinas and utilize state waters or marine resources.

Your Committee received eleven written comments on this measure. Copies of written comments submitted to the Committee are available for review on the Legislature's website.

Your Committee finds that the State's waters and marine resources would suffer harm and depletion from disruptive uses and overuse by commercial enterprises. Your Committee further finds that this measure would extend the regulatory authority of the Department of Land and Natural Resources to include commercial enterprises that originate from private marinas and use state waters. Your Committee believes that this measure addresses a potential situation whereby commercial enterprises may avoid regulation by originating their business from a private marina instead of a public boat harbor or marina. Your Committee further finds that this measure is not intended to require additional regulation or new permits for commercial activities that are regulated under any other chapter of the Hawaii Revised Statutes.

SB68 SD2 SSCR LRB 09-2599-1.doc

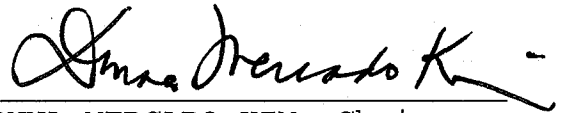


Your Committee recognizes that commercial enterprises and activities that use state waters play an important part in the State's visitor economy. Your Committee also believes, however, that it is important to balance economic enrichment and protecting the State's ocean resources. Accordingly, your Committee believes that the regulations provided under this measure will promote economic activity and still protect state waters and marine resources.

Your Committee has amended this measure by making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 68, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 68, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

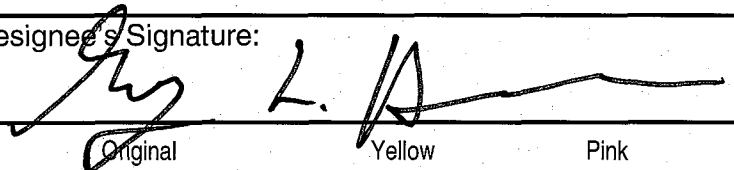


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 68, SD 1	WTL, EDT, WAM	FEB 27, 2009		
<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
KIM, Donna Mercado (C)	✓			
TSUTSUI, Shan S. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol	✓			
GALUTERIA, Brickwood				✓
HEE, Clayton	✓			
HOOSER, Gary L.	✓			
KIDANI, Michelle N.	✓			
KOKUBUN, Russell S.				✓
TOKUDA, Jill N.	✓			
HEMMINGS, Fred				✓
TOTAL	8			4
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designer's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes