

HB30002 09 09/09 11AM

## Bryan Y.Y. Ho

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February 9, 2009

HONORABLE KENNETH ITO  
Chair  
Water, Land & Ocean Resources Committee  
48<sup>th</sup> Representative District  
Room 420, Hawaii State Capitol  
415 So. Beretania Street  
Honolulu, Hawaii 96813

Re: HB 1310  
Hearing: 2/9/09  
Time: 9:30 a.m.  
Room 325

Representative Ito:

I submit this written testimony in opposition to HB 1310 to the extent it proposes to delete the state/federal holiday, and every weekend ban on the commercial operation of jet skis, parasailing, water sledding and high speed boating in Maunalua Bay under Hawaii Revised Statute § 200-37(g), (h) and §200-38. I strongly urge you and the other members of the Water, Land & Ocean Resources Committee to vote against HB 1310 and, instead, consider the passage of SB 367 in its place. SB 367 incorporates all changes proposed for HRS §§ 200-37 and 200-38 under HB 1310 except for removal of the weekend and holiday ban of commercial ocean recreation activity.

The weekend/holiday ban on commercial ocean recreation activities was first implemented by the Legislature in 1990 via Act 313. Before Act 313 was passed, the proposal to ban commercial activity was subject to significant study and debate. At the end of the day, the legislature determined precluding the commercial operation of jet skis, parasailing, water sledding and high speed boating in Maunalua Bay on weekends and holidays was necessary to ensure the health, safety and welfare of the general public that use Maunalua Bay based on the following findings:

1. The operation of thrill craft and high speed motorized vessels in the waters of the State poses an unacceptable risk of harm to humans and the environment. The operation of thrill craft and high speed

motorized vessels in some of the State's heavily used recreational waters has resulted in the severe injury and death of recreational swimmers, not to mention a number of "close calls";

2. The operation of thrill craft and high speed motorized vessels in the waters of the State poses a visual and aural nuisance to the residents in the communities in which they are operated.
3. The Legislature declares that the waters of the State used extensively by recreational swimmers should be safe from the dangers of thrill craft and high speed motorized vessels which, by their very nature, are inherently risky vessels.
4. In view of the inherently risky nature of thrill craft and high speed motorized vessels and the documented injuries and deaths that thrill craft and high speed motorized vessels have inflicted on people, the legislature declares that the unrestrained operation of thrill craft and high speed motorized vessels in the waters of the State poses and unacceptable risk of harm to humans and the environment.
5. The Legislature is cognizant that, except as otherwise provided by law, all ocean areas appertaining to any government management shall be and are forever granted to the people for the free and equal use by all persons. However, the Sate is mindful that in managing and regulating ocean use, priority should be given to those seeking non-commercial recreational opportunities as opposed to those seeking commercial recreational opportunities. To be a commercial operator is a privilege and not an exclusive right.

See: Act 313, 1990 Session Laws Of Hawaii; Conf. Com. Rep. No. 15, (H.B. No. 2994, H.D. 1, S.D. 1, C.D. 1), Senate Journal (1990), at p. 668; and Conf. Com. Rep. No. 15 on H.B. 2994, Senate Journal (1990), at p. 762-763.

In promulgating Act 313 into law, the Legislature also considered testimony that the ban on commercial activity was anti-business and would cause the watersports companies operating in Maunalua Bay to go out of business. After careful consideration and much debate, the Legislature concluded concerns regarding public safety vastly outweighed any commercial considerations and that non-commercial recreational users should be given priority in the access and use of the Maunalua Bay ocean resources because being a commercial operator is a privilege and not an exclusive right.

HONORABLE KENNETH ITO

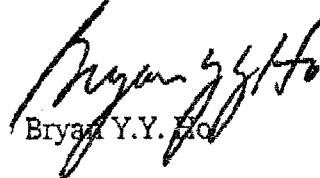
February 9, 2009

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Given the significant research and debate that went into developing and implementing HRS §§200-37 and 200-38, this committee should not lightly set it aside. The protections afforded by these statutes are significant and genuine and unless there is clear and convincing evidence presented that demonstrates the hazards and threat to public that originally warranted the weekend and holiday ban on commercial ocean recreation activities no longer exists, it would be irresponsible for this committee to approve this measure. After all, to be a commercial operator is a privilege and not an exclusive right.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Bryan Y.Y. Ho

cc: Hon. Sharon E. Har (Vice Chair)  
Hon. Rida Cabanilla  
Hon. Jerry L. Chang  
Hon. Pono Chong  
Hon. Denny Coffman  
Hon. Robert N. Herkes  
Hon. Chris Lee  
Hon. Sylvia Luke  
Hon. Hermina M. Morita  
Hon. Roland D. Sagum  
Hon. Corinne W.L. Ching  
Hon. Cynthia Thielen

**Testimony for HB1310 on 2/9/2009 9:30:00 AM**

**LATE TESTIMONY**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Monday, February 09, 2009 9:17 AM

**To:** WLOtestimony

**Cc:** collin@aloha.net

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Testimony for WLO 2/9/2009 9:30:00 AM HB1310

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Collin Miyamoto

Organization: Individual

Address:

Phone:

E-mail: collin@aloha.net

Submitted on: 2/9/2009

Comments:

Support of HB1310

RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits.

I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

Permit holders that have met the state's requirements in the statute (in compliance with all the rules, payment of taxes and a good safety record) should be able to own their businesses in perpetuity. A 20 year term imposed by this statute is both discriminatory and unreasonable to our state's small business owners. These types of businesses require significant capitalization to ensure safe operation; extensive employee training and on-going equipment investments.

Please keep our tourist operations safe by encouraging experienced operators to stay in business. Please help small business by voicing your support of HB1310.

We must aggressively support our state's tourism operators and keep them viable entities by removing this unfair and unreasonable restriction.

I also support the amendment in this bill that will delete the prohibition of commercial operation of thrill craft, parasailing, water sledding or high speed boating in Mauanalua Bay on weekends and holidays.

This section restricts the ability of these companies to offer activities on weekends and holidays. This limits revenue which affects the state in both permit fees and taxes. This provision is also discriminatory as other similar businesses do not such a punitive operating restriction. We must support our tourist businesses, keep them viable and healthy.

I urge the committee to support and readily pass these measures.

Thank you for this opportunity to testify.

Representative Ken Ito, Chair  
Representative Sharon E Har, Vice-Chair  
Ben Freundschuh  
South Pacific Water Sports, Inc  
7192 Kalaniana'ole Hwy. E207  
Honolulu, HI 96816

My name is Ben Freundschuh, owner of South Pacific Water Sports, Inc. I have been in the transportation business since 1988 and I have been operating a jet ski company in Hawaii Kai since 1997. I am writing to you today to ask for your support for House Bill 1310.

This bill is a hope for small business like mine to be able to say I can and will survive this economic crisis and be as resilient as I have been for the past 21 years to weather and endure all forms of challenges. We need this bill to pass. We need all the assistance we can get to keep small businesses alive.

Jet ski and Para sail operations have been singled out unfairly for many years. We should be able to operate as other commercial operating permits have and not be subjected to 20 years term limit. These operations take huge amounts of investment to start and maintain. After you nurture and develop your business for 20 years, to have it taken away in a public auction by the state seems unfair, unjust and unfavorable towards safe operations and puts companies in fear of financial jeopardy.

The State of Hawaii should endorse long term safe operators of these activities and not penalize them. It takes years, not months to gain the experience and the "know how" to safely run these types of businesses. It does not make any sense to open up a permit to a inexperienced operator who has financial resources to start fresh operations and expose our visitors to possible accidents because of operator inexperience. It would seem that a statute that encourages this is putting our unsuspecting visitors in the path of potential harm and possible negative publicity.

I also support the amendment in this bill that will delete the prohibition of commercial operation of thrill craft, parasailing, water sledding or high speed boating in Mauanalua Bay on weekends and holidays. This section restricts the ability to operate on weekends and holidays. **We are forced to close 1/3 of the year!** This limits revenue which affects the state in both permit fees and taxes. This provision is also discriminatory as other similar businesses do not have such a punitive operating restriction. We must support our tourist businesses, and keep them viable and healthy. Please assist us to have a fair chance of operating in these tough economic times. I urge the committee to support small business and readily pass these measures.

Thank you for this opportunity to testify.

**Testimony for HB1310 on 2/9/2009 9:30:00 AM**

**LATE TESTIMONY**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Monday, February 09, 2009 7:59 AM

**To:** WLOtestimony

**Cc:** [REDACTED]

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Testimony for WLO 2/9/2009 9:30:00 AM HB1310

Conference room: 325

Testifier position: support

Testifier will be present: No

Submitted by: Theo King

Organization: Individual

Address: [REDACTED]

Phone: [REDACTED]

E-mail: [REDACTED]

Submitted on: 2/9/2009

**Comments:**

I am writing in strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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# LATE TESTIMONY



Ocean Tourism Coalition

*The Voice for Hawaii's Ocean Tourism Industry*  
820 Mililani Street, #810  
(808) 205-1745 Phone (808) 533-2739 Fax  
office@oceantourism.org

February 9, 2009

Testimony To: House Committee on Water, Land & Ocean Resources  
Representative Ken Ito, Chair

Presented By: Tim Lyons, CAE  
Executive Director

*support*

Subject: H.B. 1310 – RELATING TO OCEAN RECREATION

Chair Ito and Members of the Committee:

I am Tim Lyons, Executive Director of the Ocean Tourism Coalition and we generally support this bill.

This bill would delete the processing of permits via a public auction and would also eliminate the maximum time for a permit of four (4), five (5) year periods; in other words, a maximum of twenty (20) years. This system of handing out permits is entirely contrary to our laws that relate to other commercial uses and was a "knee jerk" reaction to some abuses that were happening in Maunalua Bay and are completely contrary to Section 200-10 H.R.S.

It is our position that permits should be renewable on an annual basis and should be renewed unless there has not been compliance, there is a lack of payment or there are safety record problems.

The Ocean Tourism Coalition is in support of the passage of this bill.

Thank you:



# LATE TESTIMONY

Brad O'Handley  
Support

From: [REDACTED]  
To: [par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov)  
Subject: House Bill 1310  
Date: Sun, 8 Feb 2009 22:23:36 -1000

To whom it may concern,

House Bill 1310 is currently up for discussion and as a resident of Hawaii Kai, State of Hawaii and the United States of America I am sincerely **supportive** of this proclamation.

America has long been known as the "land of opportunity"; where individuals with an idea and desire can bring dreams to reality. House Bill 1310 incentivizes these dreams by eliminating an avenue for opportunists to capitalize on the hard work of others. Every one of us has dreamed of starting our own business, with the realization of the hours of committment and dedication this endeavour will require. Blindly, I and others, have trusted this idealism with the faith that the same system that supported our entrepreneurship will protect our efforts. Am I so wrong? Please remove the requirement for permits Maunalua Bay to be issued through auction.

Do dreams come with an expiration date?

Unfortunately, other bills before this house would have you believe the answer is yes. I for one do not believe this to be fact. Millions of others came to this country with the belief that sacrifice would pay dividends. Evidently this sacrifice was meant to only produces profits and a better way of life for someone other than the individuals that made the sacrifices. Someone once said "with risk comes reward"; this bill supports this endeavour by not allowing someone to steal your dreams. Please remove the restriction of having a limit of 20 years placed on a permit and allow the permit in perpetuity

Hawaii, like the rest of America is struggling through difficult times and Hawaii needs to think outside the box to survive. Placing restrictions on Weekends and Holidays in Maunalua Bay while not stricting other areas places unnecessary burdens and impediments on businesses. Have these restrictions been applied to Waikiki? The answer is no. We need to create reasons for visitors to travel to Hawaii Kai where all businesses would prosper. Let's be fair, please remove the restriction of restricting businesses to operate in Mauanlua Bay on Weekends and Holidays.

While the bill may be intended to create safety and better options for residents, what really are we creating? Not a safer environment, as the operators of businesses within this area have spent countless amounts of time and money complying with city bylaws with the belief they were protecting the same individual that kept them in business. Are we now to believe that safety would be

supported with new owners and businesses with little or no knowledge of the area. I don't think so.

Subsequently, I believe the House should give serious consideration to House Bill 1310 and pass it unanimously

Yours truly,

Brad O'Handley

# LATE TESTIMONY

Dear Chairman and representative

My name is Jeff Krantz and I own and operate Sea Breeze parasailing a business here in Hawaii that is being effected by this Law.

I want to thank you for the opportunity to testified before you today on this important issue.

I am in favor of the passing of HB 1310 and ask that amendments be made if necessary to allow fair business .

The economic uncertainty is escalating and there is a very serious drop in the tourism market witch is vitally important to our Island. I don't believe there is any reason it will change any time soon, and this put's us all at risk. Many small business are affected as we have seen in the news lately, Job's are being lost at a alarming rate and families are in trouble. we are seeking some assistance to help our small business continue operating by removing restrictions . The restrictions that we are under are unacceptable and need revision to promote stability .

I want to point out that we are at a higher risk of failure because of this section, and we need change now!

I have submitted testimony that clearly spells out the problems with this section and am sure you will here from many others of the persecution these business have been under.

The State of Hawaii should endorse long term operators of these activities as they contribute substantially in fees and in Island employment. It does not make any sense that a statute would encourage instability to business, Job security and financial loss.

There are many tours that take place on the water and are not under the same burdensome rules. several commercial water related activities that are not required to have a permit from DNLR at all, I would like to point out just a few.

This statute limitation does not apply to sail boat charters, Beach Catamarans, submarines, deep sea fishing, water skiing, surfing schools, snorkel tours, kayaks , Wale watching or dolphin tours, Dinner cruises or rafting tours. It exclusively singles out jet skiing and parasailing permits and announces to the holder that after 20 years, the State of Hawaii will take your permit without cause or due process. It is unfavorable towards safe operation and puts companies in fear of financial jeopardy. These operations take enormous capital infusion to start and maintain. We find ourselves subject to short term lending and unfair lease negotiations.

1. We are the only use permits with an expiration term that are issued by the DNLR (certainly a discrimination issue). There are no limits on other water uses such as diving, submarines, beach catamaran, beach stand rentals, submarines, etc.

2. We are providing a popular attraction to the tourism industry and support the local economy by employing trained personnel.

3. Financing of on going operations becomes unfavorable and may result in degrading of operations trying to get their money out of something that they will no longer own.

3. The current operators safety record is unmatched, and a turn over could result in accidents and negative exposure for Hawaii.

4. Continued operations from existing operators provide the state with guaranteed revenue, (a stability greatly needed as they face budget cuts)

I have operated for many years prior to any DNLN rules or State Statutes regarding this industry restriction that has such a detrimental effect. I believe this is discriminating toward a select group of business and find it hard to believe that something like this was ever considered to be part of the Statute. This is America, a place where dreams come true, where opportunity and freedom rings from our highest office.

If this statute is not changed it will reflect a terrible place and time for Hawaii ,one without regard for the freedoms each and every one of enjoys.

The main intent we seek is to maintain the ownership of our business and be allowed to continue operations. Many years ago there were limitations placed on the number of years one would be allowed to retain the required use permit and at the expiration it would be offered at public auction to the highest bidder. This is a industry that is very specialized and certainly should not be something for anyone to jump into; local knowledge of the waters along with parasail flight training is essential to maintaining safety.

I believe the State is concerned about job loss and the need to help struggling business , that is why I am asking you to help , I know we are not the largest company, but we have maintained operation for 22 years and made it through many down turns including the gulf war the past recession and 911 our resiliencies is a example of our commitment.

We are not alone in seeking changes to this section there are other company's facing similar circumstances. They operate in many areas of the Island , they employee and provide health insurance to many residents, I ask you to please support us in these trying times , we need leaders who will embrace change.

-

## **CURRENT STATUTE**

Each commercial use and operator permit issued by the department for commercial thrill craft, and parasailing activities shall be valid five years from the date of issuance and shall be renewed by the department for additional five-year periods, not to exceed a maximum of twenty years; provided that the permit holder shall have met the following conditions:

(1) The permit holder shall be in compliance with all applicable rules of the department;

(2) The permit holder shall have timely filed and paid all applicable state taxes during the year; and

(3) The permit holder shall have a good safety record regarding

the operation of a commercial thrill craft, or parasailing activity.

Upon expiration of the twenty-year period, the permit may be offered for public auction as provided in this chapter; provided that the previous permit holder shall be offered the right of first refusal in accordance with department rules; and provided further that the permit holder shall agree to match the highest bid offered at the public auction.

These statutes should be revised to remove the 20-year expiration of the permit.

This statute effectively tells a thrill craft or parasailing permit holder that after 20 years of capitalizing a business and investing time, the State of Hawaii will rescind your permit and auction it to the highest bidder. This only applies if you have a thrill craft or parasailing permit.

## **SUGGESTED REVISION TO STATUTE**

Each commercial use and operator permit issued by the department for commercial thrill craft, and parasailing activities shall be valid five years from the date of issuance and shall be renewed by the department for additional five-year periods. ~~not to exceed a maximum of twenty years;~~ provided that the permit holder shall have met the following conditions:

(4) The permit holder shall be in compliance with all applicable rules of the department;

(5) The permit holder shall have timely filed and paid all applicable state taxes during the year; and

(6) The permit holder shall have a good safety record regarding the operation of a commercial thrill craft, or parasailing activity.

~~Upon expiration of the twenty-year period, the permit may be offered for public auction as provided in this chapter; provided that the previous permit holder shall be offered the right of first refusal in accordance with department rules; and provided further that the permit holder shall agree to match the highest bid offered at the public auction.~~

I also support the amendment in this bill that will delete the prohibition of commercial operation of thrill craft, parasailing, water sledding or high speed boating in Mauanalua Bay on weekends and holidays. This section restricts the ability of these companies to offer activities on weekends and holidays. This limits revenue which affects the state in both permit fees and taxes. This provision is also discriminatory as other similar businesses do not such a punitive operating restriction. We must support our tourist businesses. I urge the committee to support and readily pass these measures.

I work in this industry and we need operators that will continue to create viable, long term employment for our residents. Small business must be supported! This is such a simple

and logical issue. Granting this request will increase revenues to the state, this small business, the businesses this company supports and add revenue to a difficult economy.

Representative Ken Ito, Chair  
Representative Sharon E, Har Vice-Chair  
Committee on Water, Land and Ocean Resources

**LATE TESTIMONY**

Name: AKIO OTAMI  
Address or Phone number: 1868 FAHAFAI DR., #269

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

Permit holders that have met the state's requirements in the statute (in compliance with all the rules, payment of taxes and a good safety record) should be able to own their businesses in perpetuity. A 20 year term imposed by this statute is both discriminatory and unreasonable to our state's small business owners. These types of businesses require significant capitalization to ensure safe operation; extensive employee training and on-going equipment investments. Please keep our tourist operations safe by encouraging experienced operators to stay in business. Please help small business by voicing your support of HB1310.

We must aggressively support our state's tourism operators and keep them viable entities by removing this unfair and unreasonable restriction.

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

**LATE TESTIMONY**

Name: Bill, Kiyama  
Address or Phone number: 487-8652

Monday, February 9, 2009

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Jane M. Arakawa  
Address or Phone number: 366-8620

Monday, February 9, 2009

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Joselyn Bellanera  
Address or Phone number: 46204 PUNAWAY ST KANEOHE

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

**LATE TESTIMONY**

Name: CURTIS KALUA  
Address or Phone number: 221-1708

Monday, February 9, 2009

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

**LATE TESTIMONY**

Name: Vivian Williams  
Address or Phone number: 402 KA PUNAWA ST KANEOHE

Monday, February 9, 2009

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Risa Williams  
Address or Phone number: 2475776 or 728-7906

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

Permit holders that have met the state's requirements in the statute (in compliance with all the rules, payment of taxes and a good safety record) should be able to own their businesses in perpetuity. A 20 year term imposed by this statute is both discriminatory and unreasonable to our state's small business owners. These types of businesses require significant capitalization to ensure safe operation; extensive employee training and on-going equipment investments. Please keep our tourist operations safe by encouraging experienced operators to stay in business. Please help small business by voicing your support of HB1310.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: KURT WILLIAMS  
Address or Phone number: 392-1530

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Todd K. Hrakawa  
Address or Phone number: 523-9088

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Naomi Omori  
Address or Phone number: 501 Hahaione St 9L, 808-395-4019

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Jonathan Kumikane  
Address or Phone number: 395-0001

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

**LATE TESTIMONY**

Name: Harold Nagai  
Address or Phone number: 1232-7324

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

**LATE TESTIMONY**

Name: DAVID SBB7 DLO  
Address or Phone number: 258 3039.

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: RICK NOMURA  
Address or Phone number: 395-0001

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Chiharu Skaggs  
Address or Phone number: 296-1600

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: August van Biene  
 Address or Phone number: 697 Kumukahi Pl 796825 tel: 808-349-5788

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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# LATE TESTIMONY

Representative Ken Ito, Chair  
 Representative Sharon E, Har Vice-Chair  
 Committee on Water, Land and Ocean Resources

Name: Joe Lam  
 Address or Phone number: 765 PUNAHONA ST. HI 96826 Tel (808) 220-3968

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

Representative Ken Ito, Chair  
Representative Sharon E. Har Vice-Chair  
Committee on Water, Land and Ocean Resources

Name: Keiko Bottema *DBH*  
Address or Phone number: 1135 Wainiha St E Honolulu HI 96825  
277-2375

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: KEITH WILLIAMS  
 Address or Phone number: 808-247-5776 46-264 PUNAHOU ST KANEODITE  
CELL 808 225-8196 96744

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

**LATE TESTIMONY**

Name: Bill Bohannon  
Address or Phone number: 41-280 Nākele St. 284-2312

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: CHIEKO KELLY *Chieh Kelly*  
 Address or Phone number: 3644 Diamond Head Circle  
*Honolulu HI 96815 392-0535*

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: DAISHI ICHIZAWA  
Address or Phone number: (808) 497-2789

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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# LATE TESTIMONY

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: DONOVAN LEE  
Address or Phone number: (808) 387-5055

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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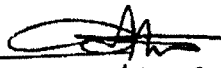
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LATE TESTIMONY

Representative Ken Ito, Chair  
Representative Sharon E. Har Vice-Chair  
Committee on Water, Land and Ocean Resources

Name: Nobuji Torii   
Address or Phone number: 3222 A HAWAII ST - HON. HI 96815

Monday, February 9, 2009

753-2000

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: ALARIC ABUAN  
Address or Phone number: 375-1#22

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

Permit holders that have met the state's requirements in the statute (in compliance with all the rules, payment of taxes and a good safety record) should be able to own their businesses in perpetuity. A 20 year term imposed by this statute is both discriminatory and unreasonable to our state's small business owners. These types of businesses require significant capitalization to ensure safe operation; extensive employee training and on-going equipment investments. Please keep our tourist operations safe by encouraging experienced operators to stay in business. Please help small business by voicing your support of HB1310.

We must aggressively support our state's tourism operators and keep them viable entities by removing this unfair and unreasonable restriction.

also support the amendment in this bill that will delete the prohibition of commercial operation of thrill craft, parasailing, water sledding or high speed boating in Mauanalua Bay on weekends and holidays. This section restricts the ability of these companies to offer activities on weekends and holidays. This limits revenue which affects the state in both permit fees and taxes. This provision is also discriminatory as other similar businesses do not such a punitive operating restriction. We must support our tourist businesses, keep them viable and healthy. I urge the committee to support and readily pass these measures. Thank you for this opportunity to testify.

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: CORMAC O'CONNOR  
Address or Phone number: 395 3773

**LATE TESTIMONY**

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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# LATE TESTIMONY

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Dickson Lee  
 Address or Phone number: 1050 KINAU ST. A 302  
HONOLULU HI 96822

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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# LATE TESTIMONY

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Lynley D Stankeard  
Address or Phone number: 782-7103

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: STELLA CHUNG  
Address or Phone number: 1015 N SCHOOL ST #504  
HONOLULU HI 96817

Monday, February 9 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

Permit holders that have met the state's requirements in the statute (in compliance with all the rules, payment of taxes and a good safety record) should be able to own their businesses in perpetuity. A 20 year term imposed by this statute is both discriminatory and unreasonable to our state's small business owners. These types of businesses require significant capitalization to ensure safe operation; extensive employee training and on-going equipment investments. Please keep our tourist operations safe by encouraging experienced operators to stay in business. Please help small business by voicing your support of HB1310.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: CHAN WU LEE  
Address or Phone number: 1001 N SCHOOL ST #513  
HONOLULU, HI 96817

Monday, February 9 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: *Joel Sauer (Public Relations)*  
 Address or Phone number: *Hawaiian Ocean Promotions*  
*St. E-217 Kalaniana'olaha Hwy. Honolulu, HI. 808-345-0001*  
 Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Robert Chase  
Address or Phone number: 232-7325

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**LATE TESTIMONY**

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Phuong Ma  
 Address or Phone number: (808) 387-1157

Monday, February 9, 2009

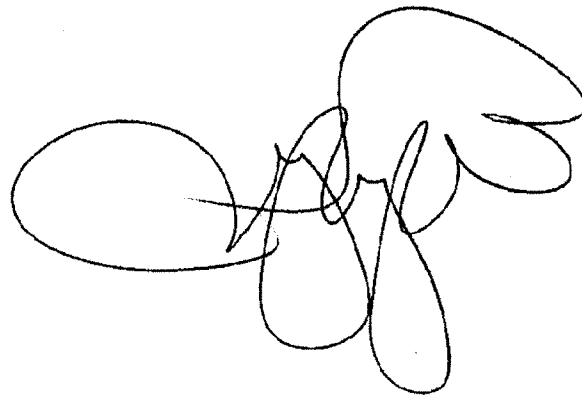
Support of HB1310 RELATING TO OCEAN RECREATION

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LATE TESTIMONY

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: NANCY MA <sup>ST</sup>  
 Address or Phone number: 2436 DATE #5 HON-HI 96826  
cell 392-4524

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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*Nancy Ma*



**Representative Ken Ito, Chair**  
**Representative Sharon E. Har, Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: MYNG JA OKIDD  
Address or Phone number: 797 CAP TEN COOK

Monday, February 9, 2009 Honolulu, HI 96813

**Support of HB1310 RELATING TO OCEAN RECREATION**

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: IN CHA SHODA  
Address or Phone number: 2222 MOHALA WAY

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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*In Cha Shoda*

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Sunny Ebisue  
Address or Phone number: 536-9889

Monday, February 9, 2009

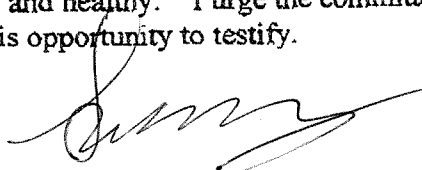
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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: CHANG BOK OH  
Address or Phone number: 392 9260

Monday, February 9, 2009

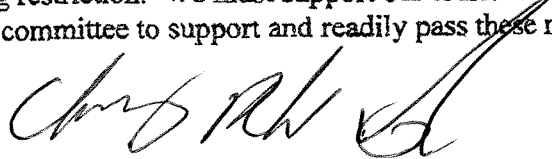
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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: MAE C. Nakachi  
Address or Phone number: 1615 School ST # C-1 HONO HI 96817

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: OK KI LEE  
Address or Phone number: 1001 N School ST # 513  
Honolulu. HI 96817

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: TONY KAMAKAHU  
Address or Phone number: 623 Puuuehana #122  
HONOLULU, HI 96826

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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*Tony Kamakahi*

**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: KRISTY MA  
Address or Phone number: 650 North Kukui St apt. 32F  
Monday, February 9, 2009 Honolulu HI 96817

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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*Kristy Ma*



**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Dennis MA  
Address or Phone number: 650 North Kukuia St, apt 32F

Monday, February 9, 2009 Honolulu HI 96817

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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x 

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Tom T. Vu

Address or Phone number: 808 218 1233  
1065 Kawaiakoa St # 1304 Honolulu, HI 96814

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Alex Nguyen  
Address or Phone number: 230-0677

Monday, February 9, 2009

1059 Ki Kaula A. 96814

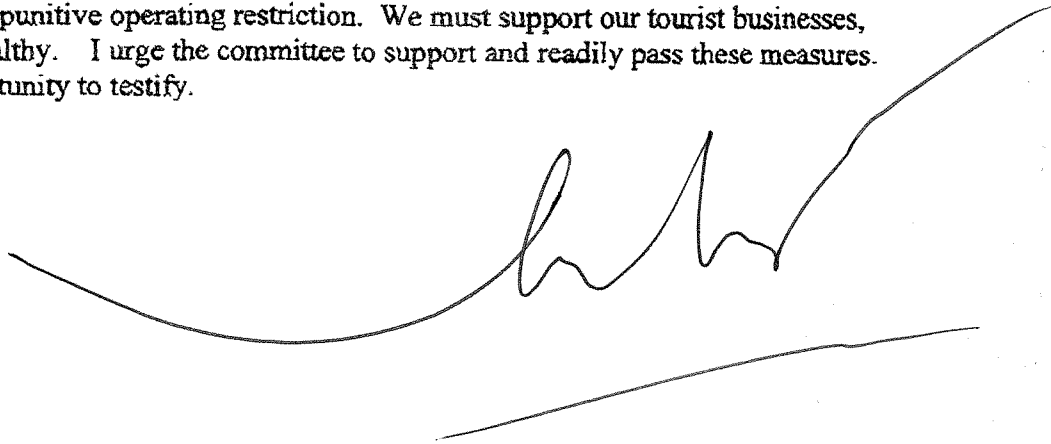
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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Le John  
Address or Phone number: P.O. Box 23215 Honolulu HI 96823

Monday, February 9, 2009

**Support of HB1310 RELATING TO OCEAN RECREATION**

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: KEN HUYNH  
Address or Phone number: 2751 Kapiolani Blvd. #609  
HON. HI 96826

Monday, February 9, 2009

**Support of HB1310 RELATING TO OCEAN RECREATION**

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: HILLIARD HUNG OWEN  
Address or Phone number: 414 LAUNIV ST #304  
HONOLULU HI 96815

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Danny Dany  
Address or Phone number: 3918 Palua Ave

Monday, February 9, 2009

Hm Hr 96816

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: JUDY CAMP  
Address or Phone number: 1050 KINAUST 302 HONOLULU HI 96814

Monday, February 9, 2009

**Support of HB1310 RELATING TO OCEAN RECREATION**

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: KEVIN MA  
Address or Phone number: 1050 KINAU ST. 207 HON. HI 96814  
(808) 398-3279

Monday, February 9, 2009


Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: HIEP NGOC HUYNH  
Address or Phone number: 2436 DATE ST # 5 HON-HI 96826  
cell = 429-7689

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E, Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Sandy Le  
Address or Phone number: 232-8942

Monday, February 9, 2009

**Support of HB1310 RELATING TO OCEAN RECREATION**

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*Sandy Le*

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Justin Le  
Address or Phone number: 382-0263

Monday, February 9, 2009

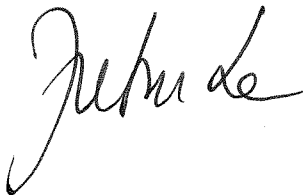
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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Thang Duong  
Address or Phone number: 1720 Kihuna Street B 608  
Honolulu HI 96817

Monday, February 9, 2009

Support of HB1310 RELATING TO OCEAN RECREATION

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x Thang Duong

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: JOHNNY GIAM  
Address or Phone number: 3364. Hauoliu Ave

Monday, February 9, 2009 HONOLULU, HI. 96816

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: ANGIE N. TRAN

Address or Phone number: ~~465 KAPAHULU #310~~

Monday, February 9, 2009

HON, HI: 96815

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

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x Angie Tran

**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: ANTHONY D. NGUYEN  
Address or Phone number: P.O. Box 8877  
Hon., HI. 96830

Monday, February 9, 2009

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x Anthony D. Nguyen



**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Jimmy Ho  
Address or Phone number: 1309 Wilder #601  
Hon, HI 96822

Monday, February 9, 2009

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: Thao Thanh Tran

Address or Phone number: 545 NORTH KUKUI ST apt 13H

Monday, February 9, 2009 Honolulu HI 96817

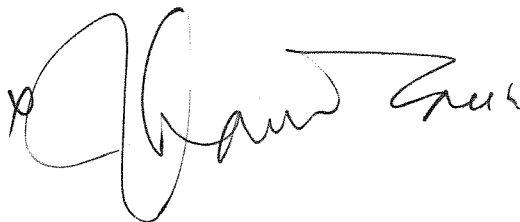
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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: NANA ORA PHI  
Address or Phone number: 3364 HAWAIIAN AVE

Monday, February 9, 2009 HONOLULU, HI, 96816

Support of HB1310 RELATING TO OCEAN RECREATION

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**Representative Ken Ito, Chair**  
**Representative Sharon E. Har Vice-Chair**  
**Committee on Water, Land and Ocean Resources**

Name: <sup>D</sup> Rich Hoang  
Address or Phone number: 545 N Kukui #13J

Monday, February 9, 2009 Hon, HI, 96817

Support of HB1310 RELATING TO OCEAN RECREATION

I am writing to voice my strong support of this bill and its intent to delete the 20 year maximum permit term for parasailing and commercial thrill craft commercial use and operator permits. I also support deleting the entire provision that puts a permit up for auction after this 20 year maximum permit term.

Permit holders that have met the state's requirements in the statute (in compliance with all the rules, payment of taxes and a good safety record) should be able to own their businesses in perpetuity. A 20 year term imposed by this statute is both discriminatory and unreasonable to our state's small business owners. These types of businesses require significant capitalization to ensure safe operation; extensive employee training and on-going equipment investments. Please keep our tourist operations safe by encouraging experienced operators to stay in business. Please help small business by voicing your support of HB1310.

We must aggressively support our state's tourism operators and keep them viable entities by removing this unfair and unreasonable restriction.

also support the amendment in this bill that will delete the prohibition of commercial operation of thrill craft, parasailing, water sledding or high speed boating in Mauanalua Bay on weekends and holidays. This section restricts the ability of these companies to offer activities on weekends and holidays. This limits revenue which affects the state in both permit fees and taxes. This provision is also discriminatory as other similar businesses do not such a punitive operating restriction. We must support our tourist businesses, keep them viable and healthy. I urge the committee to support and readily pass these measures. Thank you for this opportunity to testify.



# A BILL FOR AN ACT

Relating to State Unencumbered Public Lands.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

Section 1. Chapter 171, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

### **S171-- Limited right of entry; unencumbered public lands.**

(a) Ceremonies of a Religious nature, Weddings, Commitment Ceremonies, Vow Renewals, Christenings, Memorial Services (with or without a Scattering of Ashes) shall be removed from the designation of a commercial activity.

(b) Any law to the contrary notwithstanding, any person(s), shall have a limited right of entry, without charge, to perform a Wedding Ceremony (after obtaining a marriage license under chapter 572), Commitment Ceremony, Vow Renewal, Christening, Memorial Service (with or without Scattering of Ashes) on any unencumbered public lands; provided that:

(1) The Wedding Ceremony, Commitment Ceremony, Vow Renewal, Christening, Memorial Service (with or without a Scattering of Ashes) shall be allowed the use &/or set up of Chairs, a ceremonial Altar (i.e.- Chuppa, Arch or Flower Circle), a Minister's Podium or Table, &/or a Cake Table on the limited right of entry area of the State Unencumbered Lands; to include the beaches and other areas of State Unencumbered Public Lands such as grass areas, and grass areas overlooking the ocean.

(2) The Wedding Ceremony, Commitment Ceremony, Vow Renewal, Christening, Memorial Service (with or without a Scattering of Ashes) shall not be limited in attendance except where the department has set a previous established load capacity of specific unencumbered public lands.

(c) The department shall adopt rules in accordance with chapter 91 for the purposes of this section

Section 2. New Statutory material is underscored.

Section 3. This Act shall take effect upon its approval.

**Report Title:**

Unencumbered Public Lands; Wedding Ceremonies, Commitment Ceremonies, Vow Renewals, Christenings, Memorial Services (with or with Scattering of Ashes).

**Description:**

To permanently remove Wedding Ceremonies, Commitment Ceremonies, Vow Renewals, Christenings, Memorial Services (with or with Scattering of Ashes) from the designation of a Commercial Activity and therefore, exempts persons from having to obtain a permit for a Wedding Ceremony, Commitment Ceremony, Vow Renewal, Christening, Memorial Service (with or without a Scattering of Ashes) on unencumbered public lands.

## Late Testimony in Opposition to HB 1310 Relating to Ocean Recreation

The Mestizo Association [REDACTED]

**Sent:** Tuesday, February 10, 2009 12:45 PM

**To:** WLOtestimony

**Cc:** Rep. Sharon Har

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### LATE TESTIMONY

Chair Ken Ito  
Vice Chair Sharon Har, Esq.  
Right Honorable Members of the Water, Land & Ocean Resources  
ATTN: Ms. Melissa Miranda-Johnson  
Hawaii House of Representatives.

Please accept this late testimony in opposition to HB 1310 Relating to Ocean Recreation.

As I send this written testimony, please also allow me to express my appreciation in particular to Rep. Roland D. Sagum and Rep. Cynthia Thielen, Esq. I believe your comments as well as the many testifiers both for and against HB 1310, let to HD1. It is good to see an inclusive method of considering the thoughts of the stakeholders.

In the spirit of bi-partisanship, I express my Mahalo.

"Peace be with you.."

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"1 of 16,588 local voices"