

JAN 26 2009

A BILL FOR AN ACT

RELATING TO THRILL CRAFT OPERATION.

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

1 SECTION 1. Section 200-37, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) No person shall operate a thrill craft in the waters
4 of the State, except:

5 (1) In areas and during time periods designated by the
6 department; ~~and~~

7 (2) Through areas designated by the department to serve as
8 avenues for the ingress and egress of thrill craft
9 between the areas designated under paragraph (1) and
10 the shore~~[-]~~;

11 (3) Authorized government personnel conducting operations
12 approved by the department; or

13 (4) Authorized film production permit holders conducting
14 operations approved by the department."

15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

S.B. NO. 959

1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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BY REQUEST

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO THRILL CRAFT OPERATION.

PURPOSE: To authorize government personnel conducting operations approved by the Department and film permit holders involved in film production conducting operation approved by the Department to operate thrill crafts in non-designated areas.

MEANS: Amend section 200-37(c), Hawaii Revised Statutes (HRS).

JUSTIFICATION: Currently, section 200-37(c), HRS, only allows individuals to operate thrill crafts in designated areas of state waters. The statute is silent with regard to operating thrill crafts in non-designated areas by state personnel.

Thrill crafts have proven to be an effective tool for monitoring the natural resources and providing public safety. They are used by county lifeguards and due to their minimal draft and jet drive systems, thrill crafts are able to access areas that boats are unable to operate in.

This bill proposes to allow authorized government personnel conducting operations approved by the Department to operate thrill craft in non-designated areas for official government business.

The Hawaii Film Office (Film Office) has requested an exemption be placed within section 200-37(c), HRS, to allow authorized film production conducting operations approved by the Department, to similarly operate thrill craft in non-designated areas. As the Department recognizes Hawaii's unique scenic qualities play a

major part in attracting filming in the islands, the Department concurs with the Film Office's request, and has proposed amending section 200-37(c), HRS, accordingly.

Impact on the public: None.

Impact on the department and other agencies:
Would allow the Department to better manage ocean activities from an enforcement and resource management standpoint.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: LNR 801.

OTHER AFFECTED
AGENCIES: Federal and county agencies operating thrill crafts as part of their regular duties.

EFFECTIVE DATE: Upon approval.