

STAND. COM. REP. NO.

3020

Honolulu, Hawaii

APR 01 2010

RE: H.B. No. 2741  
H.D. 1  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 2741, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS,"

begs leave to report as follows:

The purpose of this measure is to adjust and set certain fees paid by permittees who moor vessels in the State's small boat harbors.

Specifically, this measure requires a permittee using a vessel as a place of principal habitation to pay a liveaboard fee in lieu of the moorage fee and changes the liveaboard fees to:

- (1) Three times the moorage fee assessed per month for a recreational vessel of the same size, for residents; and
- (2) Three and one-half times the moorage fee assessed per month for a recreational vessel of the same size, for nonresidents.

The measure also requires a permittee who uses a vessel for commercial fishing activity from its permitted mooring to pay, in lieu of the moorage and liveaboard fees, a fee that is two times the moorage fee assessed for a recreational vessel of the same size.



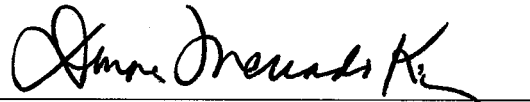
Furthermore, this measure defines "commercial fishing activity" and allows a person owning an interest in a corporation or other business entity operating a commercial fishing vessel to make a one-time transfer of interest, under certain conditions, without terminating the right to retain or renew the vessel's mooring permit or any other permits issued by the Department of Land and Natural Resources.

Your Committee received comments in opposition to this measure from the Hawaii Boaters Political Action Association and seventeen individuals. The Department of Land and Natural Resources submitted comments. Written comments may be reviewed on the Legislature's website.

Your Committee has amended this measure to require permittees who use recreational vessels as a place of principal habitation to pay the liveaboard fee in addition to, and not in lieu of, the moorage fee. This will ensure that both the moorage and liveaboard fees are paid, as currently required by section 200-10, Hawaii Revised Statutes.

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 H.B. No. 2741, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2741, H.D. 1, S.D. 2.

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

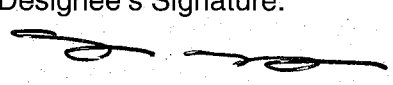


DONNA MERCADO KIM, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <i>HB 2741 HDI SDI</i>	Committee Referral: <i>WTL, WAM</i>	Date: <i>3/24/2010</i>		
<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	/			
<b>TOTAL</b>	<i>8</i>	<i>2</i>	<i>0</i>	<i>2</i>
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