

Honolulu, Hawaii

March 31, 2010

RE: S.B. No. 2547
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 2547, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide that where an applicant for a commercial permit will disembark farepaying passengers with the expectation that they will enter upon any public or quasi-public real property during the course of an excursion between state boating facilities, the permit is conditioned on compliance with all rules applicable to those areas.

Castle & Cooke Resorts, LLC, and its affiliates, and several concerned individuals testified in support of this bill. The Department of Land and Natural Resources and several concerned individuals opposed this measure. A concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Replacing the provisions in this bill with provisions that would require as a condition of any permit issued under the Ocean Recreational Law, that any permittee who, in the course of providing an excursion using state boating facilities, disembarks fare-paying passengers in



certain counties with the expectation that the passengers will visit and participate in recreational activity on state property adjacent to quasi-public property during the excursion, to ensure that all such passengers while ashore are accompanied and supervised by a crew member qualified to render aid in an emergency;

- (2) Changing the effective date to July 1, 2010; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2547, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2547, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 1109-10

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: SB 2547, SDI	Committee Referral: WLO	Date: 3/29/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono	✓			
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.				✓
8. LEE, Chris	✓			
9. LUKE, Sylvia	✓			
10. MORITA, Hermina M.	✓			
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia				✓
TOTAL (13)	10			3 KTF
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				