

STAND. COM. REP. NO.

994

Honolulu, Hawaii

MAR 31 2011

RE: H.B. No. 931  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred H.B. No. 931 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require vessels that are moored within state small boat harbors or in offshore mooring areas to be moved under their own power at least once every ninety days to demonstrate that the vessels are in good material and operating condition.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Lisa Harrington, Krista Leblanc, Trace Harrington, Beth Malvestiti, William Brattain, William Marshall, Joseph Shacat, Alvin Koo, Donald Scelsa, Dave Cooper, Robert Winter, Kate Johnson, and Sam Monet.

Your Committee finds that requiring a vessel moored at a state small boat harbor or offshore mooring area to move periodically under its own power beyond the confines of the state small boat harbor in which it is moored supports the intent of section 200-9, Hawaii Revised Statutes, which is to restrict the use of state small boat harbors to those vessels that are in good material and operating condition. Your Committee also understands, however, that increased vessel traffic into and out of state small boat harbors may result from this requirement, and



increased vessel traffic brings the risk of accidents or injuries to other recreational users of state waters.

Accordingly, your Committee has amended this measure by:

- (1) Reducing the frequency at which vessels that are moored at small boat harbors or in offshore mooring areas must be moved under their own power to at least once every six months, rather than once in a ninety day period, to lessen the impact of increased vessel traffic into and out of state small boat harbors; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 931, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 931, S.D. 1, and be placed on the calendar for Third Reading.

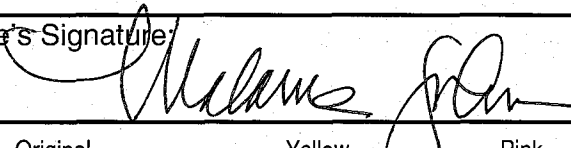
Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, and  
Housing,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land, and Housing**  
**WLH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB931	WLH	3/22/11		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol	✓			
RYAN, Pohai	✓			
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.	✓			
SLOM, Sam				✓
<b>TOTAL</b>	5			2
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