

STAND. COM. REP. NO.

2279

Honolulu, Hawaii

FEB 16 2012

RE: S.B. No. 2433
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Economic Development and Technology and Commerce and Consumer Protection and Judiciary and Labor, to which was referred S.B. No. 2433 entitled:

"A BILL FOR AN ACT RELATING TO CHALLENGE COURSE TECHNOLOGY,"

beg leave to report as follows:

The purpose and intent of this measure is to establish standards, regulations, and procedures for zipline and canopy tour operators; responsibilities for participants, including prohibited acts; and permitting, certification, and inspection requirements.

Your Committees received testimony in support of this measure from Activities & Attractions Association of Hawaii, Frogman Charters Inc., Paradise Helicopters, Piiholo Ranch Zipline, Polynesian Cultural Center, Princeville Ranch Adventures, Skyline Eco-Adventures, Hawaii Cattlemen's Council, and nine individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committees find that zipline and canopy tours are one of the fastest growing segments of the State's activities and attractions, showcasing Hawaii's natural beauty and providing new ways for visitors to experience the islands. Your Committees further find that the safety and security for participants is of paramount importance, and this measure is a first step in ensuring that safety.

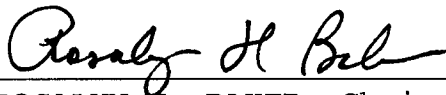


Your Committees have considered the concerns raised by the Department of Labor and Industrial Relations, and note that while the Department and the interested parties have been working in collaboration to address the various concerns, consensus has not been reached. Your Committees believe that establishing provisions similar to state law relating to activity desk providers, under the authority of the Department of Labor and Industrial Relations, may be one approach to consider, and urge the parties to continue their work on this measure.

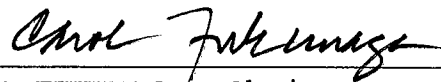
Your Committees have amended this measure by inserting an effective date of July 1, 2050, to ensure further discussion.

As affirmed by the records of votes of the members of your Committees on Economic Development and Technology and Commerce and Consumer Protection and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2433, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2433, S.D. 1, and be referred to the Committee on Ways and Means.

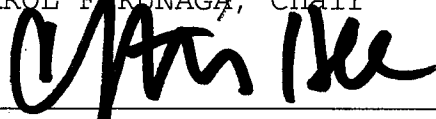
Respectfully submitted on
behalf of the members of the
Committees on Economic
Development and Technology and
Commerce and Consumer
Protection and Judiciary and
Labor,



ROSALYN H. BAKER, Chair



CAROL F. KUNAGA, Chair

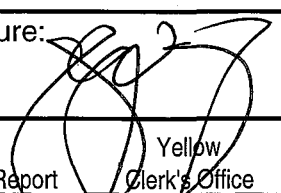


CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i


Record of Votes
Committee on Economic Development and Technology
EDT

Bill / Resolution No.:* SB 2433	Committee Referral: EDT/CPN/JDL, WAM	Date: 2/14/12			
<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	
FUKUNAGA, Carol (C)	✓				
WAKAI, Glenn (VC)	✓				
BAKER, Rosalyn H.	✓				
SOLOMON, Malama	✓				
SLOM, Sam	✓				
TOTAL	5	0	0	0	
Recommendation:		<input checked="" type="checkbox"/> Adopted	<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 					
Distribution:		Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 2433	Committee Referral: EDT/CPN/JDL, WAM	Date: 2-14-12		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2433	Committee Referral: EDT/CPN/JDL, WAM	Date: 2/14/10		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam				✓
TOTAL				
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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