

Honolulu, Hawaii

MAR 17 2016

RE: H.B. No. 1733  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred H.B. No. 1733, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to review an application for renewal of a commercial permit for small boat harbors that is received at least ninety days prior to expiration, and renew the permit or inform the applicant of any reasons for a nonrenewal within thirty days of receiving the application; and
- (2) Authorize a thirty-day grace period for persons who fail to timely obtain renewal of a commercial permit.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition, Quicksilver Charters, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that the current renewal process for a commercial permit for a small boat harbor does not require early review of a renewal application, timely review to provide an applicant an opportunity to gather requested information, or a



grace period for applicants who fail to obtain a renewal on time. Your Committee further finds that the amendments to the commercial permit renewal process proposed by this measure will increase and promote communication and fairness between the Department of Land and Natural Resources and commercial permit holders.

Your Committee recommends that if your Committee on Commerce, Consumer Protection, and Health chooses to pass this measure, that it consider amending the proposed language in this measure to ensure that the thirty-day grace period does not apply to applicants who have not duly submitted an application for renewal in a timely manner.

Your Committee has amended this measure to take effect upon its approval.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1733, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1733, H.D. 2, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

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




---

MIKE GABBARD, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land, and Agriculture**  
**WLA**

Bill / Resolution No.:* <b>HB1733, HD2</b>	Committee Referral: <b>WLA, CPA</b>	Date: <b>3/14/16</b>		
<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 checked="" type="checkbox"/> <b>Pass, unamended</b> 2312 <input checked="" type="checkbox"/> <b>Pass, with amendments</b> 2311 <input type="checkbox"/> <b>Hold</b> 2310 <input type="checkbox"/> <b>Recommit</b> 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.				/
RIVIERE, Gil	/			
RUDERMAN, Russell E.				/
SHIMABUKURO, Maile S.L.	/			
THIELEN, Laura H.				/
WAKAI, Glenn	/			
SLOM, Sam				/
<b>TOTAL</b>	<b>5</b>			<b>4</b>
Recommendation: <input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> <b>Not Adopted</b>				
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