

Honolulu, Hawaii

APR 05 2016

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

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

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred H.B. No. 1733, H.D. 2, S.D. 1, 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; Teralani Sailing Adventures; Lahaina Divers, Inc.; Maui Dive Shop; Quicksilver Charters; and Trilogy Corporation. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that the permit renewal process for commercial permit holders for small boat harbors needs to be



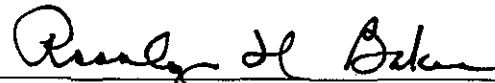
improved to encourage better communication and fairness during the permit renewal process. This measure requires the Department of Labor and Industrial Relations to renew the permit or give a response within thirty days of receiving an application for renewal of a commercial permit for small boat harbors that is received at least ninety days prior to expiration.

Your Committee further finds that interested stakeholders have indicated that the preferred time frame for permit holders to submit permit renewals is at least sixty days, rather than ninety days, prior to permit expiration. An amendment to this measure to incorporate this time frame is therefore necessary.

Accordingly, your Committee has amended this measure by clarifying that when an application for renewal of a commercial permit is made at least sixty days, rather than ninety days, prior to expiration of the permit, the Department of Land and Natural Resources shall review the application and, within thirty days of receipt, renew the permit or notify the applicant that the application is incomplete or cannot be renewed and explain any reasons for nonrenewal.

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

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,



ROSALYN H. BAKER, Chair



