

STAND. COM. REP. NO.

1148

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 1304  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Water and Land and Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1304, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MARINE EVENTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a permit from the Department of Land and Natural Resources before holding a regatta, marine parade, or surfing contest, unless prior authorization has been secured from the Coast Guard;
- (2) Allow the Department of Land and Natural Resources to assess and collect a fee for processing permits;
- (3) Require permit applications to be submitted no less than forty-five days prior before the start of the proposed event; and
- (4) Require the Department of Land and Natural Resources to approve or deny a permit within thirty days of receiving a completed application or, if the Department does not do so, deem the application to be approved.



Your Committees received testimony in support of this measure from Handsome Bugga Productions, Pailolo SUP Sports LLC, and two individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committees find that regattas, marine parades, and surfing contests are events that promote the State's natural beauty and ocean resources and generate community and international goodwill. Your Committees further find that establishing a permit process as proposed by this measure will encourage responsible planning and preparation of events, and balance the needs and resources of permit applicants and the State in issuing the permits.

Your Committees have amended this measure by:

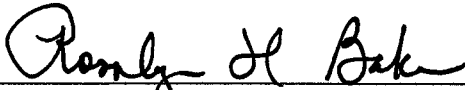
- (1) Allowing permit applications to be submitted up to one year before the start of a proposed event;
- (2) Clarifying that the Department of Land and Natural Resources shall use its best efforts to approve or deny a permit within thirty days of receiving a completed application;
- (3) Removing the provision that an application is deemed approved if the completed application is not approved or denied within thirty days of submission;
- (4) Requiring the Department of Land and Natural Resources to collect a \$250 deposit that is nonrefundable if an event is cancelled within sixty days of the start of the event;
- (5) Clarifying that the Department of Land and Natural Resources may, rather than shall, adopt rules necessary to effectuate this measure; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are



in accord with the intent and purpose of H.B. No. 1304, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1304, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Commerce, Consumer  
Protection, and Health,



ROSALYN H. BAKER, Chair

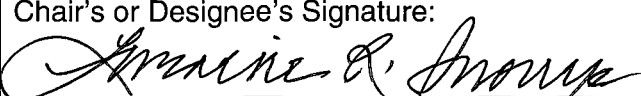


KARL RHOADS, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1304, HD 2	WTL/CPH, WAM	03-22-2017		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
INOUE, Lorraine R.	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.				✓
<b>TOTAL</b>	3	-	-	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

The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:* <b>HB 1304 HD1</b>	Committee Referral: <b>WTL/CPH, NAM</b>	Date: <b>3/22/17</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 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)	X			
NISHIHARA, Clarence K. (VC)				X
CHANG, Stanley	X			
ESPERO, Will	X			
IHARA, Jr., Les				X
KIDANI, Michelle N.				X
RUDERMAN, Russell E.	X			
<b>TOTAL</b>	<b>4</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Will Espero</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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