

JAN 23 2020

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# A BILL FOR AN ACT

RELATING TO THE STATE SURFING COMMISSION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that surfing, as the  
2 state sport of Hawaii, is of significant cultural, social, and  
3 economic value to the people and State of Hawaii, and the many  
4 visitors who travel to the State for surfing. An estimated  
5 704,000 people surf in Hawaii each year, the second-most out of  
6 any state in the country. Hawaii's unique weather and  
7 topography make the State especially suited for surfing, yet  
8 many people are unaware of the history and exclusive connection  
9 that Hawaii has with surfing.

10           The legislature also recognizes the increasing recognition  
11 of surfing beyond the State of Hawaii. The 2020 Summer Olympics  
12 in Tokyo will be the first Olympics games to include surfing,  
13 further bolstering global recognition of the sport.

14           The purpose of this Act is to provide for a statewide  
15 program to promote surfing and educate people throughout the  
16 State, as well as a broader national and international audience,  
17 about surfing's unique connection to Hawaii.



1 SECTION 2. (a) There is established the state commission  
2 on surfing within the department of business, economic  
3 development, and tourism, Hawaii tourism authority, for  
4 administrative purposes.

5 (b) The commission shall consist of members who shall  
6 reflect the geographic and cultural diversity of the State. The  
7 membership shall include:

8 (1) The comptroller; director of commerce and consumer  
9 affairs; chairperson of the board of land and natural  
10 resources; director of business, economic development,  
11 and tourism; and superintendent of education; or their  
12 designees, as ex officio, voting members;

13 (2) Nine voting members, who shall be appointed by the  
14 governor pursuant to section 26-34, Hawaii Revised  
15 Statutes, except as provided in this section, as  
16 follows:

17 (A) Two members shall be appointed by the governor  
18 from a list of three nominees submitted by the  
19 president of the senate, and two members shall be  
20 appointed by the governor from a list of three



1           nominees submitted by the speaker of the house of  
2           representatives;

3           (B) Three members shall be appointed by the governor  
4           from the community-at-large; and

5           (C) Two members from the Hawaiian community  
6           demonstrating an understanding of the culture and  
7           history of surfing shall be appointed by the  
8           governor from a list of nominees submitted by the  
9           office of Hawaiian affairs;

10          provided that in appointing members pursuant to this  
11          paragraph, the governor shall ensure gender parity in  
12          the composition of the commission as a whole;

13          (3) One voting member shall be designated by the Hawaii  
14          Lifeguard Association; and

15          (4) One voting member shall be designated by the Hawaii  
16          Surfing Association.

17          (c) Of the appointed members, there shall be at least one  
18          member from each of the counties of Kauai, Maui, and Hawaii.

19          (d) All members shall serve for a term of four years. Any  
20          vacancies occurring in the membership of the commission shall be  
21          filled for the remainder of the unexpired term in the same



1 manner as the original appointments. No member shall serve on  
2 the commission for more than two terms; provided that if a  
3 member fills a vacancy and serves for the remainder of an  
4 unexpired term, that member shall be considered to have served  
5 one term.

6 (e) The chair and vice chair shall be selected annually  
7 from the nongovernmental members of the commission appointed  
8 pursuant to subsection (b)(2). A simple majority shall  
9 constitute a quorum, whose affirmative vote shall be necessary  
10 for all actions.

11 (f) The members shall serve without compensation.

12 (g) Any member of the commission shall be immune from  
13 civil liability as provided in section 26-35.5, Hawaii Revised  
14 Statutes.

15 (h) The commission shall serve in an advisory capacity to  
16 state agencies to promote the surfing industry and educate  
17 people about the cultural and historical significance of  
18 surfing. In addition, the commission may make recommendations  
19 on programs, services, and contracts relating to surfing and  
20 may:



- 1           (1) Act as a central clearinghouse and coordinating body  
2                   for governmental and nongovernmental activities and  
3                   information relating to the promotion of surfing;  
4           (2) Identify promising best practices that support and  
5                   engage surfers and the surfing industry;  
6           (3) Identify obstacles that impede or prevent people from  
7                   undertaking surfing in a safe manner;  
8           (4) Raise public awareness of surfing and its cultural and  
9                   historical connection to the State;  
10          (5) Recommend policies and practices, within and  
11                   throughout state government, that encourage the  
12                   education and promotion of surfing;  
13          (6) Promote, foster, encourage, and otherwise support  
14                   programs designed to educate and train people in the  
15                   sport of surfing;  
16          (7) Promote, foster, encourage, and otherwise support  
17                   programs that promote surfing; and  
18          (8) Do any and all things necessary to carry out its  
19                   duties and the purposes of this Act.  
20          (i) The meetings of the commission shall be subject to the  
21 requirements of chapter 92, Hawaii Revised Statutes.



1 (j) Notwithstanding any law to the contrary, the  
2 commission shall be exempt from section 26-35(a), Hawaii Revised  
3 Statutes, with the exception of sections 26-35(a)(2), (3), (7),  
4 and (8), Hawaii Revised Statutes.

5 (k) The commission shall administer funds appropriated or  
6 allocated for its work and shall be authorized to accept,  
7 disburse, and allocate funds that may become available from  
8 other governmental and private sources; provided that all funds  
9 shall be disbursed or allocated in compliance with any specific  
10 designation stated by the donor and, in the absence of any  
11 specific designation, the funds shall be disbursed or allocated  
12 on projects related to any of the purposes of this chapter.

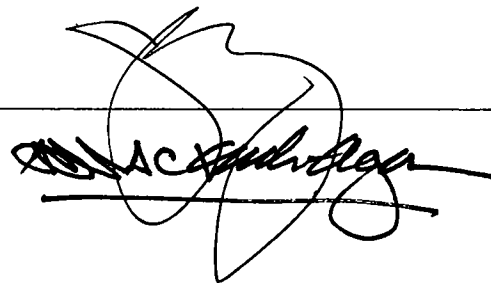
13 (l) As used in this section, unless the context requires  
14 otherwise:

15 "Commission" means the state commission on surfing  
16 established pursuant to subsection (a).

17 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 3164

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# S.B. NO. 3164

**Report Title:**

State Commission; Surfing

**Description:**

Establishes the state commission on surfing.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

