

STAND. COM. REP. NO. 125

Honolulu, Hawaii

FEB 11 2021

RE: S.B. No. 578
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 578 entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL SHARK TOURS,"

begs leave to report as follows:

The purpose and intent of this measure is to regulate commercial shark boat tour operators, improve public safety, and increase protections of sharks within state waters. Specifically, this measure:

- (1) Prohibits commercial shark tour operations from operating without a permit; and
- (2) Requires the Department of Land and Natural Resources to adopt rules to regulate commercial shark tours, including adherence to a code of conduct and safety standards.

Your Committee received testimony in support of this measure from the Center for Biological Diversity, Hawai'i Reef and Ocean Coalition, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that commercial shark boat tours are presently unregulated and, as a result, safety measures vary



greatly between operators. Noting the inherent risks associated with swimming with sharks, your Committee finds that the regulation of shark boat tours is appropriate.

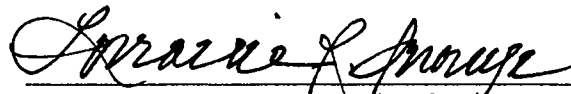
Your Committee further finds that all commercial vessels not under the jurisdiction of the Department of Transportation are required to obtain a commercial use permit (CUP) with the Department of Land and Natural Resources Division of Boating and Ocean Recreation (DOBOR). Your Committee notes DOBOR's ability to modify the terms and conditions for granting CUPs and encourages DOBOR to establish terms and conditions for issuing CUPs for commercial shark tour operations based on the minimum standards set forth in this measure.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Department of Land and Natural Resources to adopt rules to establish a code of conduct and best management practices for commercial shark tour operators; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 578, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

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


LORRAINE R. INOUE, Chair



