

STAND. COM. REP. NO. 1047 -22

Honolulu, Hawaii

MAR 17 , 2022

RE: S.B. No. 3377  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 3377, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON BEACHES,"

begs leave to report as follows:

The purpose of this measure is to prohibit any person from presetting commercial beach equipment on beaches encumbered with easements in favor of the public unless the customer is physically present.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, and one individual. Your Committee received comments on this measure from two individuals.

Your Committee finds that in some areas of the State, beach access is frequently hindered by unrented preset commercial beach equipment, such as beach chairs and umbrellas. This measure increases access to Hawaii's beaches for all beachgoers by prohibiting the presetting of commercial beach equipment on public beaches unless the customer is physically present.

Your Committee has amended this measure by:

2022-2206 SB3377 HD1 HSCR HMSO



- (1) Prohibiting any person from presetting commercial beach equipment on any public beach under the jurisdiction of the Department of Land and Natural Resources, not only beaches encumbered with easements in favor of the public, unless the customer is physically present;
- (2) Requiring commercial vendors to expeditiously remove the commercial beach equipment after the customer has finished using it;
- (3) Allowing the Department of Land and Natural Resources to authorize exemptions through rules adopted pursuant to chapter 91, Hawaii Revised Statutes;
- (4) Establishing administrative fines for violations of paragraphs (1) and (2); and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3377, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3377, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



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DAVID A. TARNAS, Chair



**Record of Votes of the Committee on Water & Land**

<b>Bill/Resolution No.:</b> <i>SB 3377, SD1</i>	<b>Committee Referral:</b> <i>WAL, JHA</i>	<b>Date:</b> <i>3/15/2022</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>WAL Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. TARNAS, David A. (C)	✓			
2. BRANCO, Patrick Pihana (VC)	✓			
3. GANADEN, Sonny	✓			
4. KOBAYASHI, Bertrand	✓			
5. KONG, Sam Satoru	✓			
6. MORIKAWA, Dee	✓			
7. OHNO, Takashi	✓			
8. McDERMOTT, Bob	✓			
<b>TOTAL (8)</b>	<b>8</b>			
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> <i>Jacob Brown</i>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				