

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2475  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2475, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL OCEAN ACTIVITY,"

begs leave to report as follows:

The purpose and intent of this measure is to, for purposes of regulating commercial ocean recreational activity:

- (1) Provide that advertisements and offers of unpermitted commercial ocean use activities or commercial ocean recreational equipment are prima facie evidence that:
  - (A) The owner of the advertised or offered commercial activity disseminated or directed dissemination of the advertisements or offers; and
  - (B) The commercial activity is operated at the location advertised or offered;
- (2) Establish that a person charged with a violation of commercial activity restrictions bears the burden of proof that the person is not conducting illegal commercial activity or is otherwise authorized by the Department of Land and Natural Resources to conduct the activity; and



- (3) Include advertisements and offers within the definition of "commercial activity".

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Maui Chamber of Commerce.

Your Committee finds that the rapid expansion of unpermitted commercial ocean recreational activity in the State has led to an overuse of boating facilities, strain on natural resources, and conflicts between recreational and commercial ocean users. Your Committee recognizes that providing better ocean recreation management and enforcement tools helps to ensure the protection of the State's natural resources. This measure will help reduce the over-commercialization of ocean resources and allow the public greater recreational enjoyment of state ocean waters by providing the Department of Land and Natural Resources with more clarity for enforcing commercial ocean activity restrictions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2475, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



