Honolulu, Hawaii

Feb7, 2007

RE: H.B. No. 189 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Tourism & Culture, to which was referred H.B. No. 189 entitled:

"A BILL FOR AN ACT RELATING TO CRUISE SHIP FEES,"

begs leave to report as follows:

The purpose of this bill is to ensure that cruise ships appropriately reimburse the State to compensate for their use of small boat harbors by:

- (1) Requiring the Department of Land and Natural Resources (DLNR) to provide an annual report to the Legislature regarding the total costs incurred by DLNR in addressing the usage activities of cruise ships at state small boat harbors;
- (2) Specifying that all fees assessed upon cruise ships shall be set by statute; and
- (3) Requiring DLNR to submit, on an annual basis, proposed legislation to the Legislature recommending the amount of fees to be assessed on cruise ships.

DLNR offered comments on this bill.

Your Committee believes that additional information regarding the costs incurred by DLNR in addressing the usage activities of cruise ships will be a valuable resource for the State. However,

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your Committee notes that strong concerns were raised by DLNR during the public hearing regarding the provisions specifying that fees are to be set by statute. DLNR indicated that guidelines for charging cruise ship fees are already covered under federal law and are defined in the 1884 Rivers and Harbors Appropriation Act.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the provisions:
 - (A) Specifying that fees be set by statute; and
 - (B) Requiring DLNR to submit proposed legislation recommending the amount of fees to be assessed on cruise ships;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 189, H.D. 1, and be referred to the Committees on Transportation and Water, Land, Ocean Resources & Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Tourism & Culture,

RYM I. YAMANE, Chair

HS CR 125

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Tourism & Culture

Bill/Resolution No.:	Date:	1/21/07			
Committee Referral: THC, TRN/WLH, FIN		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Q Pa	ass, with amendmen	ts		
☐ Hold		ass, with amendmen	ts, for recommittal	for further	
TAC Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)	1/				
2. MANAHAN, Joey (VC)					
3. BERG, Lyla B., Ph.D.					
4. BROWER, Tom					
5. CHANG, Jerry L.					
6. HANOHANO, Faye P.					
7. HERKES, Robert N.					
8. TSUJI, Clift					
9. WAKAI, Glenn					
10. YAMASHITA, Kyle T.					
11. CHING, Corinne W.L.					
12. MARUMOTO, Barbara C.	/				
TOTAL	9			3	
The recommendation is: Adopted Not Adopted If joint referral,	ommittee acronym	did not supp	ort recommendation	1.	
Vice Chair's or designee's signature: Distribution: Original (White) – Committee	Duplicate (Yello	ow) – Clerk's Office			