

STAND. COM. REP. NO.

426

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 367
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Economic Development and Technology, to which was referred S.B. No. 367 entitled:

"A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS PROGRAMS,"

begs leave to report as follows:

The purpose of this measure is to amend the thrill craft and parasailing activities law by:

- (1) Deleting the provision that imposes a maximum permit term of twenty years and provides for the permit to be offered at public auction thereafter; and
- (2) Deleting the requirement that all new commercial use and operator permits issued after June 18, 1996, be issued at public auction.

Testimony in support of this measure was submitted by the Ocean Tourism Coalition, the Winners Camp Hawaii Study Tours, Rent PWC's, Hawaiian Ocean Promotions, Aloha Jetski, Aloha Ocean Sports, Hawaiian Parasail, Jet Ski's Plus, Seabreeze Parasailing, and one hundred and twenty-two concerned individuals. Comments on this measure were submitted by the Department of Land and Natural Resources. Written testimony presented to your Committee is available for review on the Legislature's website.

Your Committee finds that the twenty-year limit and the requirement that permits be subject to public auction at the end



of the twenty-year term, on permits for commercial operation of thrill craft and parasailing activities may be discriminatory and unreasonable to small business owners who have invested significant capitalization into the business to ensure safe operations. Thrill craft and parasailing are established tourism activities which require a level of expertise to be exercised by companies under permit.

Your Committee has also amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.

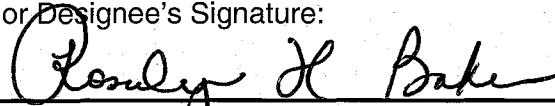
As affirmed by the record of votes of the members of your Committee on Economic Development and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 367, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 367, S.D. 1, and be referred to the Committee on Water, Land, Agriculture, and Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development and Technology,


CAROL FUKUNAGA, Chair

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Economic Development and Technology
EDT

Bill / Resolution No.:* SB 367	Committee Referral: EDT, WTL	Date: 2-16-07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
HEE, Clayton				✓
IGE, David Y.	✓			
SLOM, Sam	✓			
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes