

STAND. COM. REP. NO. 654

Honolulu, Hawaii
March 4, 2011

RE: H.B. No. 1486
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1486 entitled:

"A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS,"

begs leave to report as follows:

The purpose of this bill is to require small boat harbor vessel permittees who, in the course of providing an excursion using state boating facilities, disembark fare-paying passengers in certain counties with the expectation that they will visit and participate in recreational activity on state property adjacent to quasi-public property during the excursion, to accompany passengers at all times while ashore.

Castle & Cooke Resorts, LLC; Aha Kiole Advisory Committee; and numerous concerned individuals testified in support of this bill. The Department of Land and Natural Resources and Paradise Cruise, Ltd. testified in opposition to this measure.

Your Committee has amended this bill by:

- (1) Making the requirement that small boat harbor vessel permittees accompany fare-paying passengers at all times while ashore applicable instead to persons or entities disembarking fare-paying passengers in counties with a population of 200,000 or less;



- (2) Changing its effective date to January 1, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 1486, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1486, H.D. 1.

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



GILBERT KEITH-AGARAN, Chair



