

STAND. COM. REP. NO. 3546

Honolulu, Hawaii

APR 23 2012

RE: H.C.R. No. 118  
H.D. 1  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and  
Economic Development and Technology, to which was referred H.C.R.  
No. 118, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF  
REGULATIONS FOR ZIPLINES AND CANOPY TOURS,"

beg leave to report as follows:

The purpose and intent of this measure is to request the  
Auditor to perform a sunrise review on the regulation of ziplines  
and canopy tours.

Your Committees received testimony in support of this measure  
from the Department of Labor and Industrial Relations and two  
individuals. Your Committees received comments on this measure  
from the Department of Commerce and Consumer Affairs.

Your Committees find that this measure requests the Auditor  
to perform a sunrise review pursuant to section 26H-6, Hawaii  
Revised Statutes, on the regulation of ziplines and canopy tours  
as proposed in legislation during the Regular Session of 2012.  
The Auditor's analysis would set forth the probable effects of the  
proposed regulatory measure, assess whether its enactment is  
consistent with section 26H-6, Hawaii Revised Statutes, and assess  
alternate forms of regulation. Your Committees further find that  
a sunrise review is a necessary step to ensure the safety and  
security of participants and workers in the State's growing  
zipline and canopy tour industry.

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Your Committees additionally find that section 26H-6, Hawaii Revised Statutes, states that a referral to the Auditor for a sunrise analysis shall be by concurrent resolution that identifies a specific legislative bill to be analyzed; however this measure does not identify a specific legislative bill. Your Committees note that a public hearing was held during the Regular Session of 2012 on Senate Bill No. 2433, S.D. 2, Relating to Challenge Course Technology. Your Committees conclude that amendments to this measure are necessary to direct the Auditor to analyze Senate Bill No. 2433, S.D. 2.

Accordingly, your Committees have amended this measure by:

- (1) Inserting references to Senate Bill No. 2433, S.D. 2, Regular Session of 2012, and making corresponding clarifying amendments; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Economic Development and Technology that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 118, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 118, H.D. 1, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committees on Commerce and  
Consumer Protection and  
Economic Development and  
Technology,

  
CAROL FUKUNAGA, Chair

  
ROSALYN H. BAKER, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>HCR 118 HD 1</b>	Committee Referral: <b>CPN/EDT</b>	Date: <b>4/19/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 100px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <b>Distribution:</b>            Original            File with Committee Report         </div> <div style="text-align: center;">           Yellow            Clerk's Office         </div> <div style="text-align: center;">           Pink            Drafting Agency         </div> <div style="text-align: center;">           Goldenrod            Committee File Copy         </div> </div>				

\*Only one measure per Record of Votes

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Economic Development and Technology**  
**EDT**

Bill / Resolution No.:* <b>HCR 118, HDI</b>	Committee Referral: <b>CPN/EDT, <del>CPN</del></b>	Date: <b>4/19/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	✓			✓
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
SOLOMON, Malama				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

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