

STAND. COM. REP. NO.

3366

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2912  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2912 entitled:

"A BILL FOR AN ACT RELATING TO OCEAN RECREATION COMMERCIAL PERMITS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to issue new ocean recreation commercial permits by public auction, beginning July 1, 2020.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee received written comments in opposition to this measure from the Ocean Tourism Coalition; Trilogy Corporation dba Trilogy Excursions; Calypso Charters; Malolo Charters; Sea Paradise Scuba, Inc.; Lahaina Divers, Inc.; Teralani Sailing Adventures; Extended Horizons; Outfitters Kauai, Ltd.; PacWhale Eco Adventures; Jack's Diving Locker; and seven individuals.

Your Committee finds that the Department of Land and Natural Resources maintains a commercial permit waitlist for any particular area or activity when there is a limit on the number of permits that may be used for that area or activity. Your Committee recognizes that over the years, the number of commercial



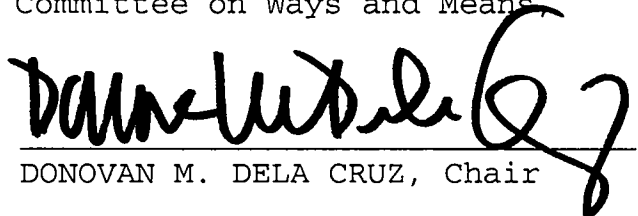
operators who have requested to operate in the state waters has increased significantly. Your Committee believes that the fairest way to issue the limited commercial permits available under these circumstances is through public auction.

Your Committee has amended this measure by:

- (1) Providing that new permits may be issued by public auction beginning on the effective date of the measure;
- (2) Clarifying that the provisions of this measure do not apply to permits issued prior to the effective date of the measure nor to the renewal of those permits, regardless of when those permits are renewed; and
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2912, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2912, S.D. 1.

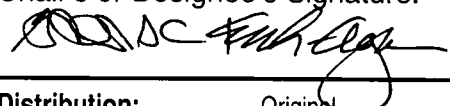
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.: <b>SB 2912</b>	Committee Referral: <b>WTL, WAM</b>	Date: <b>2/25/20</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: <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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene				X
INOUE, Lorraine R.				X
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>10</b>			<b>3</b>
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**