

STAND. COM. REP. NO. **659**

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 1134
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1134 entitled:

"A BILL FOR AN ACT RELATING TO KANEOHE BAY,"

begs leave to report as follows:

The purpose of this measure is to protect Kaneohe Bay and its waters by:

- (1) Prohibiting commercial ocean use activity in Kaneohe Bay waters without a permit; and
- (2) Prohibiting any person from advertising any commercial ocean use activity in Kaneohe Bay waters for which the person does not have a permit, lease, or license.

Your Committee received testimony in support of this measure from Hawaii State Aha Moku, Hawaiian Civic Club of Honolulu, and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that this measure would help protect the natural and cultural resources of Kaneohe Bay from abuse and exploitation by commercial ocean use activities.

Your Committee has amended this measure by:

2023-1489 HB1134 HD1 HSCR HMSO

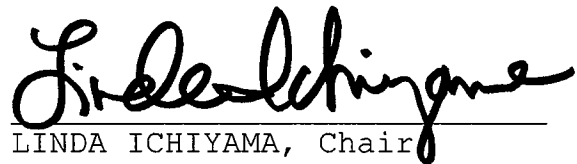


- (1) Adding a definition of "commercial ocean recreational equipment";
- (2) Changing its effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concerns raised by the Department of Land and Natural Resources that unpermitted commercial activity is a pervasive problem statewide and does not occur only at Kaneohe Bay and that to effectively monitor for illegal commercial ocean use activity across Hawaii, the Division of Boating and Ocean Recreation would need additional staffing or the ability to re-allocate existing staff to monitor ocean recreation activities.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1134, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1134, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Water & Land

| Bill/Resolution No.: HB1134 | Committee Referral: WAL, JHA | Date: 02/09/2023 | | |
|--|--|----------------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| WAL Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. ICHIYAMA, Linda (C) | ✓ | | | |
| 2. POEPOE, Mahina (VC) | ✓ | | | |
| 3. CHUN, Cory M. | ✓ | | | |
| 4. GANADEN, Sonny | ✓ | | | |
| 5. HASHEM, Mark J. | ✓ | | | |
| 6. MORIKAWA, Dee | ✓ | | | |
| 7. TAKAYAMA, Gregg | ✓ | | | |
| 8. SOUZA, Kanani | ✓ | | | |
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| TOTAL (8) | 8 | | | |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s) | | | | |
| Vice Chair's or designee's signature: | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |