

Honolulu, Hawaii

APR 0 5 2024

H.B. No. 2475 RE: H.D. 2 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2475, H.D. 2, S.D. 1, entitled:

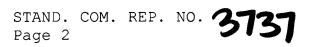
"A BILL FOR AN ACT RELATING TO COMMERCIAL OCEAN ACTIVITY,"

begs leave to report as follows:

The purpose and intent of this measure is to, for purposes of regulating commercial ocean recreational activity:

- (1) Provide that advertisements and offers of unpermitted commercial ocean use activities or commercial ocean recreational equipment are prima facie evidence that:
 - The owner of the advertised or offered commercial (A) activity disseminated or directed dissemination of the advertisements or offers; and
 - The commercial activity is operated at the location (B) advertised or offered;
- Establish that a person charged with a violation of (2) commercial activity restrictions bears the burden of proof that the person is not conducting illegal commercial activity or is otherwise authorized by the Department of Land and Natural Resources to conduct the activity; and





(3) Include advertisements and offers within the definition of "commercial activity".

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Maui Chamber of Commerce.

Your Committee finds that the rapid expansion of unpermitted commercial ocean recreational activity in the State has led to an overuse of boating facilities, strain on natural resources, and conflicts between recreational and commercial ocean users. Your Committee recognizes that providing better ocean recreation management and enforcement tools helps to ensure the protection of the State's natural resources. This measure will help reduce the over-commercialization of ocean resources and allow the public greater recreational enjoyment of state ocean waters by providing the Department of Land and Natural Resources with more clarity for enforcing commercial ocean activity restrictions.

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. 2475, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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

Kal Ahmh

KARL RHOADS, Chair



The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:		D	Date:	
HB 2475 HD 2 SDI	WTL CPN, JDC			04 104 124	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)					
GABBARD, Mike (VC)					
ELEFANTE, Brandon J.C.		/			
SAN BUENAVENTURA, Joy A.					
AWA, Brenton					$\boldsymbol{\mathcal{V}}$
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TOTAL	/	4			
Recommendation:					
Chair's or Designed's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only <u>one</u> measure per Record of Votes

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