

Chamber View

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ardless of how their individual unit is being used.

This bill affects long-term rental units and second-home condominium owners, and negatively impacts various industries and residents by raising the tax for many condominium owners from the apartment real property tax rate to a hotel (66 percent boost) or time-share (180 percent hike) rate.

If passed, the bill could force condominium owners to:

- Significantly increase rental rates for many local residents and long-term tenants to cover the higher taxes.

- Convert long-term units to short-term rentals, resulting in fewer long-term rentals for hundreds of residents and

flooding the short-term rental market with new units as we struggle to fill existing inventory and to discount room rates.

- Walk away from units altogether, escalating foreclosures and the liability and burden on other property owners in the association.

The Finance Department touted the bill as "bringing uniformity and fairness," and closing loopholes for "cheaters." However, many felt the measure was put forward as a means of raising more money for the county, and communicated other ways to address the issue without unfairly hitting those who accurately report and pay their fair share.

The Public Services Committee also heard two bills — adding "aquatic life operations" to Chapter 5 and "aquatic life" to Chapter 6.04 (animal

control) of the code — that the chamber rang in on.

Aquarium life sales is a growing business, with catches by Maui collectors reportedly increasing from 3,600 fish in 2004 to 22,000 fish by 2008, and the process for collecting coral reef fish and aquarium life is being reviewed.

We support the wise use of ocean resources for resident and visitor enjoyment, use that is consistent with protection of the marine environment. And we understand that exploitation of ocean resources beyond a sustainable level will destroy our delicate ecosystem and affect our economy.

To mitigate concerns as this industry expands and to employ appropriate environmental protections, we commented on both bills.

We expressed alarm over the

breadth of these bills, given the broad definitions of "aquarium purposes" and "aquatic life operations." Additionally, we felt the "animal control" path (where the law primarily encompasses dogs and then abruptly jumps, without equal coverage for other animals, to aquatic life) is not the right path for achieving desired outcomes.

We understand the legislative intent is to recognize the numbers of marine fish collected; improve collection practices; help protect habitats during collection; and work with those who are "collecting, transporting and displaying fish" for sale. However, the definitions above go well beyond that. They involve people or businesses that purchase and keep aquatic life as pets or for viewing in aquariums, fish-

ponds, etc. They contain care, feeding, water temperature, etc., of freshwater and saltwater aquarium life, and provide significant penalties for violators of the new sections.

While exemptions for organizations like the Maui Ocean Center and the inclusion of cultural and Native Hawaiian rights are appreciated, the expansive definitions are causes of concern by:

- Businesses (pet shops, Wal-Mart, etc.) that sell fish.

- Any business, hotel, restaurant, etc., that has an aquarium or pond.

- Aquarium maintenance companies, landscapers, pool contractors, etc., that install and maintain aquariums or fish/koi ponds.

- Homeowners who have fish bowls, aquariums, ponds, etc.

Given the wide net cast in the "animal control" bill, it appears if one won a fish at the County Fair, one could find trouble if the fish died in the bag before reaching home. We do not think this outcome was the intent of the bill.

As the issue was meant to deal with aquarium collection and those engaged in such efforts for selling purposes, we suggested modifying the definitions to better reflect and address those activities, and take businesses and homeowners out of the equation.

In these economic times we need fair, reasonable and solid solutions to avoid negative, unintended consequences, and we are working toward that end.

■ *Pamela Tumpap is president of the Maui Chamber of Commerce.*