Honolulu, Hawaii

Monh3, 2006

RE: H.B. No. 2397 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2397 entitled:

"A BILL FOR AN ACT RELATING TO GROUNDED VESSELS,"

begs leave to report as follows:

The purpose of this bill is to protect Hawaii's natural resources, including its coral reefs, by:

- (1) Requiring owners or operators of vessels that run aground on submerged lands, state shorelines, or state coral reefs to remove the vessel immediately;
- (2) Requiring owners or operators of vessels that run aground on sand beaches, sandbars, or mudflats, and not in imminent danger of breaking up to remove the vessel within 72 hours;
- (3) Allowing a state official, upon determination by the Department of Land and Natural Resources (DLNR) that the owner or operator of a grounded vessel cannot achieve a safe and immediate removal of the vessel, to assume control of the vessel and direct its removal to a safer location, at the expense of the owner or operator; and
- (4) Allowing DLNR to take legal action to collect monies for any costs or expenses incurred by DLNR for vessel

removal and requiring that such monies be deposited into the Boating Special Fund.

DLNR and the Office of Hawaiian Affairs testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive amendments for clarity and style.

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. 2397, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2397, H.D. 1.

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

SYLVIA LUKE, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Date:	2/23/	0-6	
HB 2397 (HSCR139-06) Committee Referral:				
WLO, JUD	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended Pass, with amendments				
☐ Hold	☐ Recommit			
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. OSHIRO, Blake K. (VC)	/ /			
3. CALDWELL, Kirk				
4. KANOHO, Ezra R.				
5. KARAMATSU, Jon Riki				
6. MORITA, Hermina M.				
7. SONSON, Alex M.				
8. SOUKI, Joseph M.	/			
9. MARUMOTO, Barbara C.				
10. THIELEN, Cynthia				
TOTAL	9	7	0	
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
V' Cl 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				