

STAND. COM. REP. NO.

3019

Honolulu, Hawaii

APR 01 2010

RE: H.B. No. 2583
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 2583, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish civil penalties for shark feeding, including seizure and forfeiture of any commercial marine license, vessel, and fishing equipment, and imposition of administrative fines.

Furthermore, this measure clarifies that all costs and expenses associated with the disposal of an impounded unauthorized vessel by the Department of Land and Natural Resources shall be borne by the vessel owner.

Your Committee received comments in opposition to the measure from the Department of the Attorney General and seven concerned individuals. The written comments presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure clarifies that the vessel owner shall be responsible for absorbing the costs and expenses related to the disposition of impounded unauthorized vessels within state small boat harbors and offshore mooring areas and for all mooring fees incurred prior to impoundment. Furthermore, your Committee finds that the impoundment of a vessel used to engage in shark feeding prohibited in state marine waters will serve as a serious deterrent to this conduct.

HB2583 SD2 SSCR LRB 10-2325.doc



Your Committee has amended this measure by:

- (1) Clarifying the penalty language to indicate that commercial marine vessels used during illegal shark feeding are subject to impoundment and forfeiture;
- (2) Changing the effective date to July 1, 2020, to facilitate further discussion on the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

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 H.B. No. 2583, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2583, S.D. 2.

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



DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB 2583 SDI	Committee Referral: WTL, WAM	Date: 3/24/2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol				/
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
TOTAL	11	0	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes