STAND. COM. REP. NO. 2947

Honolulu, Hawaii

#### MAR 2 3 2012

RE: H.B. No. 2589

H.D. 2 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Judiciary and Labor, to which was referred H.B. No. 2589, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO VESSELS,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify the law regarding determination of certain vessels as abandoned vessels and the disposition of abandoned vessels.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources. Your Committees received testimony in opposition to this measure from the City and County of Honolulu Department of Customer Services, County of Maui Department of Environmental Management, City and County of Honolulu Department of Parks and Recreation, and two Maui councilmembers.

Your Committees find that current statutes place the burden of disposal of all abandoned vessels on the Department of Land and Natural Resources (Department), regardless of the location of the abandoned vessels on private land or on public land under the jurisdiction of a county or state agency. The Department has the capacity to remove vessels off reefs but not on public streets or other fast lands, as such removal is time-consuming and financially burdensome. This measure clarifies that the Department is responsible for only those abandoned vessels on lands and waters under its jurisdiction.

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Due to the concerns expressed regarding the additional financial burden imposed on the counties by this measure, your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to ensure further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2589, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2589, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Water, Land, and Housing and Judiciary and Labor,

CLAYTON HEE, Chair

DONOVAN M. DELA CRUZ, Chai

## The Senate Twenty-Sixth Legislature State of Hawai'i

## Record of Votes Committee on Water, Land and Housing WLH

Bill / Resolution No.:*	Committee Referral:		Da	Date:				
HB2589 HD2	WLHIJDL, WAM 20-12			12				
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			
DELA CRUZ, Donovan M. (C)		-						
SOLOMON, Malama (VC)			· .					
FUKUNAGA, Carol		/						
RYAN, Pohai		V						
SHIMABUKURO, Maile								
TOKUDA, Jill N.					, "			
SLOM, Sam			-					
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TOTAL		5			2			
Recommendation:			·	<del></del>				
	Adopted Not Adopted							
Chair's or Designee's Signature:								
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy								

<sup>\*</sup>Only one measure per Record of Votes

## The Senate Twenty-Sixth Legislature State of Hawai'i

# Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: Date: /							
HB2589, HD2	WLALIDL, WAM 3/20/12							
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			
HEE, Clayton (C)		V/						
SHIMABUKURO, Maile (VC)								
GABBARD, Mike								
IHARA, Jr., Les		-, - <sup>,</sup>						
SLOM, Sam		<u></u>						
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Recommendation:  Adopted  Not Adopted								
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Chair's or Designee's Signature:								
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