STAND. COM. REP. NO.

March 15, 2013

RE: S.B. No. 1169 S.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian Affairs, to which was referred S.B. No. 1169, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE KAHOOLAWE ISLAND RESERVE," begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the offenses for which property is subject to forfeiture under Chapter 6K, Hawaii Revised Statutes, relating to the Kahoolawe Island Reserve, including any activity prohibited by rules of the Island Reserve and any violation of rules regulating fishing in waters within the Island Reserve except by persons or vessels within one nautical mile of the boundaries of the Island Reserve;
- (2) Clarify that property or natural resources used or taken in violation of the Kahoolawe Island Reserve laws are subject to the search and seizure provisions of the Conservation and Resources Enforcement laws and the State's forfeiture laws; and
- (3) Require the Kahoolawe Island Reserve Commission to adopt rules, as appropriate, that provide for forfeiture for violations that are subject to penalties.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, Kahoolawe Island Reserve Commission, and Ocean Tourism Coalition provided testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1169, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Ocean, Marine Resources, & Hawaiian Affairs,

FAYE P. HANOHANO, Chai:

## State of Hawaii House of Representatives The Twenty-seventh Legislature

45CR961

## Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

Bill/Resolution No.: SB 1109 GD 2	Committee Referral:  UMH, JUO, FIN		Date: 3/11/2013		
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
OMH Members		Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)					
2. CULLEN, Ty J.K. (VC)					
3. COFFMAN, Denny					
4. EVANS, Cindy					
5. KAWAKAMI, Derek S.K.					
6. LEE, Chris					
7. LOWEN, Nicole E.					
8. FALE, Richard Lee					
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TOTAL (8)		7	Ø	Ø	/
	Adopted				
Vice Chair's or designee's signature:					
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO					