

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1505
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1505, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Transportation to delay or deny approval for port entry or departure in instances when the Department of Transportation receives notice from a federal agency or other agency that a vessel or its crew has engaged in activity that has violated any federal, state, or county law or rule pertaining to environmental protection or maritime transportation; and
- (2) Authorize the Department of Transportation to grant approvals for use of any commercial harbor facility by a vessel in coordination with a federal agency or other agency.

Your Committee received testimony in support of this measure from the Department of Transportation, Surfrider Foundation, Benioff Ocean Science Laboratory, and one individual.

Your Committee finds that the Pacific Ocean's marine resources are a vital source of income, foreign exchange,



employment, and nutrition for local communities. However, the illicit extraction and collection of these valuable resources is sadly increasing. Foreign vessels have encroached upon other nations' protected areas to illegally collect fish and resources and are beginning to scout waters near Hawai'i for undersea mining. However, undersea mining, even when legal, has impacts beyond the specific areas of a mine site, causing sediment plumes, noise, and the destruction of vulnerable marine habitats.

Your Committee finds that the ocean and its seafloor underpin Hawai'i's cultural heritage, in addition to its multi-billion dollar tourism and fishing industries. Your Committee further finds that action is necessary to protect the State's marine resources and to prevent the potential irreparable damage caused by illegal maritime activities. Therefore, this measure provides the Department of Transportation with the authority to prevent vessels engaged in illegal conduct from freely entering or departing from the State's commercial harbors and ports.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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 S.B. No. 1505, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1505, S.D. 2.

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



KARL RHOADS, Chair



