STAND. COM. REP. NO. 228

Honolulu, Hawaii

FEB 1 4 2023

RE: S.B. No. 1505 S.D. 1

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

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 1505 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the issuance of permits for the mooring of vessels engaged in certain activities.

Your Committee received testimony in support of this measure from the Department of Transportation, Surfrider Foundation, Mālama Pūpūkea-Waimea, Parley for the Oceans, and Benioff Ocean Science Laboratory. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that illegal or harmful activity throughout the Pacific Ocean has increased. In many cases, foreign vessels entered new areas of the Pacific Ocean to traffic illegal commodities. Other foreign vessels have frequently entered other nations' protected areas to collect resources to the detriment of local communities and are beginning to scout waters near the State to conduct undersea mining, which poses a significant threat of irreparable harm to the State's undersea ecosystems. Prohibiting the issuance of permits for mooring in State harbors for vessels engaged in illegal activity may assist in the protection of the State's fragile aquatic resources.



Your Committee has amended this measure by:

- Deleting language that would have authorized the Department of Transportation to deny the issuance of a permit under certain circumstances;
- (2) Inserting statutory language establishing when the Department of Transportation may implement restrictions on the use of State commercial harbor facilities; and
- (3) Specifying that the unpermitted or unlicensed collection or extraction of undersea minerals triggers the Department of Transportation's ability to restrict use of State commercial harbor facilities.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1505, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1505, S.D. 1, and be referred to your Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Transportation and Culture and the Arts,

CHRIS LEE, Chair



The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Transportation and Culture and the Arts TCA

Bill / Resolution No.:*	Committee		Da	ate:	
SBISOS	TCA,	JDC		2/7/2	3
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
LEE, Chris (C)		∇_{ℓ}			
INOUYE, Lorraine R. (VC)		V_{i}			
ELEFANTE, Brandon J.C.					
KEOHOKALOLE, Jarrett		/			
AWA, Brenton		ν			
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TOTAL		6			
Recommendation:					
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					
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*Only one measure per Record of Votes