STAND. COM. REP. NO. 1534

Honolulu, Hawaii

APR 0 4 2023

RE: S.C.R. No. 227 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 Water and Land, to which was referred S.C.R. No. 227 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT AN IMMEDIATE FINE FOR GROUNDED VESSELS THAT HAVE REASONABLY CAUSED SIGNIFICANT DAMAGE TO THE ENVIRONMENT OR CREATED A MATERIAL BURDEN ON THE STATE FOR ITS REMOVAL,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Department of Land and Natural Resources to implement an immediate fine for grounded vessels that have reasonably caused significant damage to the environment or created a material burden on the state for its removal.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that grounded vessels can cause considerable damage to the State's natural resources by smashing coral reefs and poisoning fish and other native marine wildlife. However, your Committee also finds that the State's current recourse process for grounded vessels is onerous, requiring the Department of Land and Natural Resources to submit a fact-

intensive recommendation of proposed administrative penalties to the Board of Land and Natural Resources, which can often take weeks or months. Your Committee finds that an immediate fine for grounded vessels could serve as a deterrence to irresponsible vessel owners and also provide a cost offset for the State while it investigates and finalizes its recommended penalties to the Board. Therefore, this measure requests the Department of Land and Natural Resources to implement an immediate fine of \$10,000 for grounded vessels.

Your Committee has amended this measure by:

- (1) Removing the qualifier that the damage to the environment reasonably caused by a grounded vessel be "significant" to be immediately fined; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 227, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 227, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Water and Land,

LORRAINE R. INOUVE, Chair

## The Senate Thirty-Second Legislature State of Hawaiʻi

## Record of Votes Committee on Water and Land WTL

| Bill / Resolution No.:*   | Committee Referral:   |                      | D        | Date:    |         |
|---|---|----------------------|----------|----------|---------|
| SCR 227   | WTL   |                      |          | 3/24/23  |         |
| 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 |
| INOUYE, Lorraine R. (C)   |   | V                    |          |          |         |
| ELEFANTE, Brandon J.C. (VC)   |   | <b>✓</b>             |          |          |         |
| CHANG, Stanley  |   | $\int_{\mathcal{L}}$ |          |          |         |
| MCKELVEY, Angus L.K.  |   |                      |          | ļ        |         |
| FEVELLA, Kurt   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      | <b>_</b> |          |         |
|   |   |                      |          | <u></u>  |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          |          |         |
|   |   |                      |          | <u> </u> |         |
| TOTAL   |   | 4                    | 0        | φ        | 1       |
| Recommendation:  Adopted  Not Adopted                                   |   |                      |          |          |         |
| Chair's or Designee's Signature:  |   |                      |          |          |         |
| <b>Distribution:</b> Original File with Committee Re                    | Yellow Pink Goldenrod Report Clerk's Office Drafting Agency Committee File Copy |                      |          |          |         |

\*Only one measure per Record of Votes