

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2397
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2397 entitled:

"A BILL FOR AN ACT RELATING TO GROUNDED VESSELS,"

begs leave to report as follows:

The purpose of this bill is to protect Hawaii's natural resources, including its coral reefs, by:

- (1) Requiring owners or operators of vessels that run aground on submerged lands, state shorelines, or state coral reefs to remove the vessel immediately;
- (2) Requiring owners or operators of vessels that run aground on sand beaches, sandbars, or mudflats, and not in imminent danger of breaking up to remove the vessel within 72 hours;
- (3) Allowing a state official, upon determination by the Department of Land and Natural Resources (DLNR) that the owner or operator of a grounded vessel cannot achieve a safe and immediate removal of the vessel, to assume control of the vessel and direct its removal to a safer location, at the expense of the owner or operator; and
- (4) Allowing DLNR to take legal action to collect monies for any costs or expenses incurred by DLNR for vessel



removal and requiring that such monies be deposited into the Boating Special Fund.

DLNR and the Office of Hawaiian Affairs testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive amendments for clarity and style.

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 H.B. No. 2397, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2397, H.D. 1.

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


Sylvia Luke, Chair



