

STAND. COM. REP. NO. **2357**

Honolulu, Hawaii
FOB 17, 2006

RE: S.B. No. 2360
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 2360 entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow the Department of Land and Natural Resources (DLNR) to take immediate action when a vessel is grounded on a coral reef or is in imminent danger of breaking up.

The measure also requires grounded vessels on sand or mud, not in imminent danger of breaking up, to be removed by the owner within seventy two hours, unless the department agrees to a longer period.

Testimony in support of this measure was submitted by DLNR, the Hawaii Boaters Political Action Association, the Sierra Club, and two individuals.

The current law does not allow DLNR to quickly respond to vessels grounded on coral reefs or in imminent danger of breaking up. Your Committee finds that even one tidal cycle can drive a boat hard aground and compound both the cost and damages to the environment. Further, many boat owners do not appreciate the extent of the problems that the tide and wind may cause or the ultimate consequences to the living structures on the coral reef. Thus, this measure allows DLNR to take immediate action when a



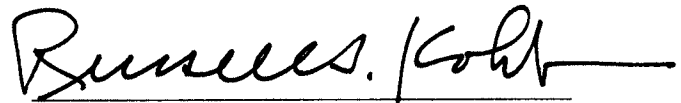
vessel is grounded on a coral reef or is in imminent danger or breaking up.

Your Committee has amended this measure by:

- (1) Adding a "good samaritan" provision that exempts from liability persons who, in good faith, render assistance at the scene of a vessel grounded on a coral reef or in imminent danger of breaking up; and
- (2) Making extensive technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2360, S.D. 1, and be referred to the Committee on Ways and Means.

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



RUSSELL S. KOKUBUN, Chair



