

STAND. COM. REP. NO. 3342

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 3173  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 3173, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources to remove a grounded vessel under its control by any means necessary if the vessel is in imminent danger of breaking up or when the owner cannot remove the grounded vessel in a reasonably safe manner within seventy-two hours.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and Ocean Tourism Coalition.

This measure applies to all vessels grounded on state submerged lands, shorelines, and coral reefs. Current law requires the owner of the vessel to immediately remove that vessel at the owner's expense. The Department of Land and Natural Resources, for purposes of removal of the vessel, may assume control of the grounded vessel or a vessel that is in imminent danger of breaking up, and cannot be removed in a safe manner by the owner. This measure is intended to facilitate the removal.

The intent of this measure is to minimize the damage done to natural resources of Hawaii and to prevent navigational hazards.

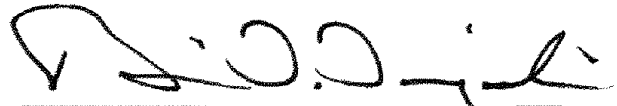


Your Committee has amended this measure by:

- (1) Substituting removal by any means necessary with removal by conventional salvage methods, in the interests of specificity; and
- (2) Changing the effective date to July 1, 2050, to continue the discussions on this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3173, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3173, H.D. 1, S.D. 1.

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



BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:
HB 3173 HD1	WTL, JDL	3-28-08

The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	/			
HEE, Clayton (VC)	/			
GABBARD, Mike				/
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SLOM, Sam	/			
<b>TOTAL</b>	5			1

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature:  
*Clarence K. Nishihara*

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\*Only one measure per Record of Votes