

STAND. COM. REP. NO.

2947

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2589
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Judiciary and Labor, to which was referred H.B. No. 2589, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO VESSELS,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify the law regarding determination of certain vessels as abandoned vessels and the disposition of abandoned vessels.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources. Your Committees received testimony in opposition to this measure from the City and County of Honolulu Department of Customer Services, County of Maui Department of Environmental Management, City and County of Honolulu Department of Parks and Recreation, and two Maui councilmembers.

Your Committees find that current statutes place the burden of disposal of all abandoned vessels on the Department of Land and Natural Resources (Department), regardless of the location of the abandoned vessels on private land or on public land under the jurisdiction of a county or state agency. The Department has the capacity to remove vessels off reefs but not on public streets or other fast lands, as such removal is time-consuming and financially burdensome. This measure clarifies that the Department is responsible for only those abandoned vessels on lands and waters under its jurisdiction.

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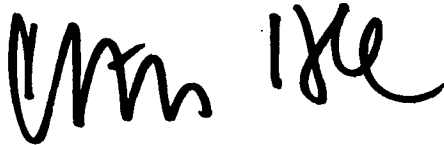


Due to the concerns expressed regarding the additional financial burden imposed on the counties by this measure, your Committees have amended this measure by:

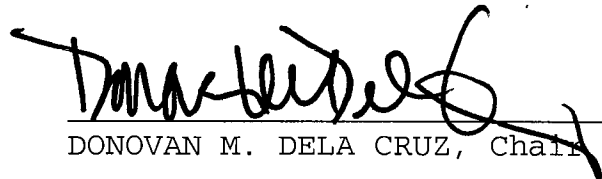
- (1) Inserting an effective date of July 1, 2050, to ensure further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2589, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2589, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Housing and Judiciary and
Labor,



CLAYTON HEE, Chair



DONOVAN M. DELA CRUZ, Chair



