

STAND. COM. REP. NO. 3356

Honolulu, Hawaii

APR 05 2012

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

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

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2589, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VESSELS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify responsibility for the disposing of abandoned vessels within the State.

More specifically, the measure:

- (1) Authorizes a state agency or department, through its director, to determine whether a vessel on public property within its jurisdiction is abandoned and to direct and cause an abandoned vessel to be taken into custody and disposed of;
- (2) Authorizes a county, through its mayor, the mayor's designee, or the county chief of police, to determine whether a vessel on public property within the county's jurisdiction is abandoned and to direct and cause an abandoned vessel to be taken into custody and disposed of;
- (3) Provides that all vessels abandoned on private property shall be the responsibility of the private property owner;



- (4) Amends the description of an abandoned vessel;
- (5) Requires the Department of Land and Natural Resources to provide each county with access to vessel registration or marine document records; and
- (6) Specifies that a county's responsibility under this measure shall commence upon the earlier of:
 - (A) The Department of Land and Natural Resources or the United States Coast Guard providing access to its vessel registration or marine document records; or
 - (B) January 1, 2013.

Written comments in opposition to this measure were submitted by the City and County of Honolulu-Department of Parks and Recreation; the City and County of Honolulu; the County of Hawaii-Finance Department; the County of Kauai-Department of Public Works; and the Maui County Council.

Your Committee notes that, under current law, the disposal of any abandoned vessel in the State is the responsibility of the Department of Land and Natural Resources, regardless of whether the vessel is located on private land or on public land under the jurisdiction of a county or state agency. Your Committee finds that this measure would alleviate the logistical and financial burden placed upon the Department of Land and Natural Resources by clarifying that the Department shall be responsible for disposal of only those abandoned vessels located on lands and waters under its jurisdiction.

Your Committee has amended this measure by making technical nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2589, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2589, H.D. 2, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

David Y. Ige

DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2589 HD2 SDI	WLH/JDL, WAM	3-29-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				✓
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	13	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
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*Only one measure per Record of Votes