

STAND. COM. REP. NO.

2244

Honolulu, Hawaii

FEB 16 2012

RE: S.B. No. 2305
S.D. 1

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

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.B. No. 2305 entitled:

"A BILL FOR AN ACT RELATING TO OCEAN RESOURCES,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the taking of any amount, rather than up to one gallon per person per day, of sand and stone seaward from the shoreline, with certain exceptions.

Your Committee received testimony in support of this measure from one private individual. Your Committee received testimony in opposition to this measure from two private individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources who has no opposition to the measure and one private individual.

Your Committee finds that coastal erosion is a natural occurrence and is cyclical like many other processes in nature. However, because we are an island state that is economically dependent on tourism, it is necessary to be vigilant in protecting our natural resources, such as our beaches. It is important for us to consider the consequences of our actions and restrict the taking of sand and other marine deposits from our precious coastal areas.

Your Committee also finds that sand is a resource that has many uses, such as being mixed into concrete, filling sandbags to

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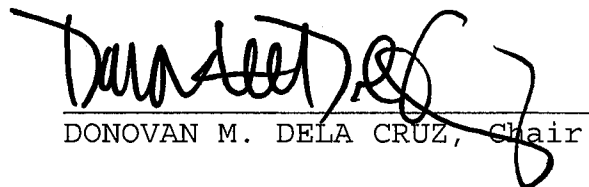
stave off floods, or for cultural practices, which are beneficial to our economy, public safety, and traditional values.

Accordingly, your Committee has amended this measure by:

- (1) Adding exceptions for response to public emergencies or state or local disasters, and for the exercise of traditional cultural practices; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2305, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2305, S.D. 1, and be referred to the Committee on Judiciary and Labor.

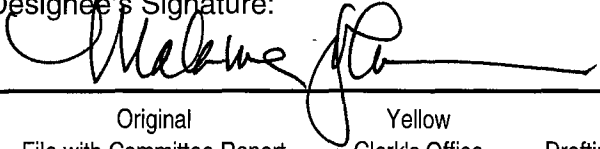
Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2305	WLH, JDL	2/9/12		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes