

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2852  
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 S.B. No. 2852, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCE VIOLATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to direct the Examiner of Drivers to deny or suspend a driver's license if the Board certifies that the person is noncompliant with administrative penalties related to aquatic resource violations.

In addition, this measure authorizes the Board of Land and Natural Resources to require the performance of natural resource related community service for aquatic resource violations.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Malama Pupukea-Waimea, Malama Maunaloa, and five individuals. Written comments on this measure were received from the City and County of Honolulu, Department of Motor Vehicle, Licensing and Permits Administration.

Your Committee finds that for many years, there have been concerns within the community that the Department of Land and Natural Resources lacks the ability to fully enforce the State's aquatic resource laws. This measure will help the Department to more consistently, efficiently, and appropriately address aquatic resource violations.

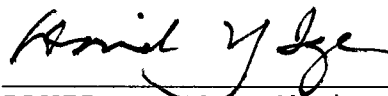


Your Committee has amended this measure by:

- (1) Clarifying that the Board of Land and Natural Resources shall direct the immediate suspension, nonrenewal, nonreactivation, or denial of a driver's license by the Examiner of Drivers if certain conditions are not satisfied;
- (2) Deleting the requirement that the Board of Land and Natural Resources provide the Examiner of Drivers with the social security number of a person who does not comply with administrative penalties related to aquatic resource violations, and requiring instead the provision of "other identifying information"; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, 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 S.B. No. 2852, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2852, S.D. 2.

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



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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:		
SB 2852, SD1	WLA/JDL, WAM	2-28-12		
<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	✓			
<b>TOTAL</b>	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