

STAND. COM. REP. NO.

1051

Honolulu, Hawaii

March 22, 2011

RE: S.B. No. 815  
S.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred  
S.B. No. 815, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ASSET FORFEITURE,"

begs leave to report as follows:

The purpose of this bill is to strengthen the protections for the natural resources of the Kaho'olawe Island Reserve by authorizing the imposition of seizure and forfeiture penalty provisions for a variety of items and equipment, including vehicles, vessels, and aircraft, used or taken in violation of the laws or rules applicable to the Kaho'olawe Island Reserve.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, Kaho'olawe Island Reserve Commission, Department of the Prosecuting Attorney of the County of Maui, and a concerned individual testified in support of this bill. The Ocean Tourism Coalition provided comments.

While your Committee notes the concerns raised by the Ocean Tourism Coalition that the inadvertent crossing of a commercial tour operation into the waters of the Kaho'olawe Island Reserve could subject the operator to a seizure and forfeiture of their vessel under this measure, the protection of the Kaho'olawe Island Reserve remains of utmost importance and this measure deserves further consideration and discussion.

SB815 SD1 HSCR HAW HMS 2011-3126



As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 815, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Hawaiian Affairs,

  
\_\_\_\_\_  
FAYE HANOHANO, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR 1051

**Record of Votes of the Committee on Hawaiian Affairs**

Bill/Resolution No.: <b>SB 815 SD1</b>	Committee Referral: <b>HAW, JUD</b>	Date: <b>3/16/11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. LEE, Chris (VC)	✓			
3. BELATTI, Della Au	✓			
4. JORDAN, Jo	✓			
5. MIZUNO, John M.	✓			
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.				✓
9. PINE, Kymberly Marcos	✓			
10. WARD, Gene		✓		
<b>TOTAL (10)</b>	<b>8</b>	<b>1</b>	<b>0</b>	<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				