

Honolulu, Hawaii

APR 25 2013

RE: S.B. No. 1161
S.D. 1
H.D. 2
C.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1161, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO VESSELS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Allow a court to issue an income withholding order for payment of fines imposed on a vessel owner for violations of laws regarding abandoned vessels and establish procedures for the execution of the order; and
- (2) Clarify that all costs and expenses associated with the impoundment of an unauthorized vessel by the Department of Land and Natural Resources shall be borne by the vessel owner and specify circumstances under which no vessel registration shall be renewed or transferred.



Your Committee on Conference finds that in the case of a vessel owner who is in violation of mooring within a state small boat harbor or offshore mooring area, the vessel owner should have a continuing obligation to pay for the consequences.

Under existing law, the burden, along with the costs and expenses of impoundment and disposal of all unauthorized vessels, is on the Department of Land and Natural Resources when a vessel owner does not repossess an impounded vessel prior to disposition. The process is costly and time-consuming for the Department. The State is also not entitled to recover mooring fees incurred by the vessel owner prior to impoundment.

Your Committee on Conference has amended this measure by:

- (1) Deleting all references to the income withholding order by the court;
- (2) Changing the effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

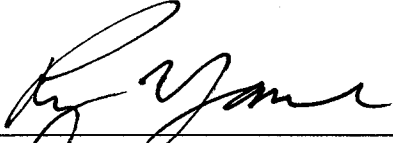
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1161, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1161, S.D. 1, H.D. 2, C.D. 1.



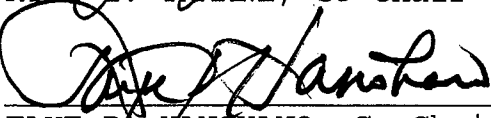
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE



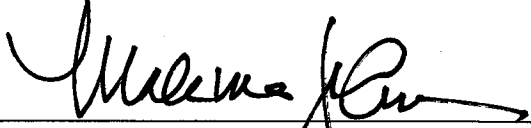
RYAN I. YAMANE, Co-Chair




FAYE P. HANOHANO, Co-Chair



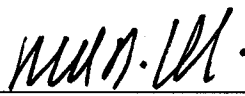
KYLE T. YAMASHITA, Co-Chair



MALAMA SOLOMON, Chair



J. KALANI ENGLISH, Co-Chair



RONALD D. KOUCHI, Co-Chair



Hawaii State Legislature

CCR 41

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1161, SD 1, HD 2	Date/Time: 4/24/13, 9:15 AM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
SOLOMON, Malama, Chr.	✓				YAMANE, Ryan I., Co-Chr.	✓			
ENGLISH, J. Kalani, Co-Chr.	✓				HANOHANO, Faye P., Co-Chr.	✓			
KOUCHI, Ronald D., Co-Chr.	✓				YAMASHITA, Kyle T., Co-Chr.	✓			
DELA CRUZ, Donovan M.				✓	ICHIYAMA, Linda	✓			
SHIMABUKURO, Maile S.L.	✓				CHEAPE, Lauren Kealohilani				✓
SLOM, Sam				✓					
TOTAL	4			2	TOTAL	4			1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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