

STAND. COM. REP. NO.

1142

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 1169
S.D. 2
H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1169, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE KAHOO LAWE ISLAND RESERVE,"

begs leave to report as follows:

The purpose of this measure is to specify offenses for which property is subject to forfeiture relating to the Kaho'olawe Island Reserve and to clarify that property seized within the Kaho'olawe Island Reserve may be forfeited and disposed of as provided by law.

The Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Kaho'olawe Island Reserve Commission, and the Ocean Tourism Coalition submitted testimony in support of this measure. One concerned individual submitted testimony in opposition. The Department of the Attorney General provided comments.

Your Committee circulated a Proposed S.B. No. 1169, H.D. 1 (Proposed Draft) at the hearing, which among other things:

- (1) Identifies and enumerates the specific offenses subject to forfeiture;

SB1169 HD1 HSCR JUD HMS 2013-2849



- (2) Clarifies that forfeiture of property applies only to offenses committed on the island of Kaho'olawe or by persons or on vessels located in the waters extending seaward one nautical mile from its shoreline;
- (3) Amends the measure to be effective upon approval; and
- (4) Makes technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee after careful consideration has amended the bill as received by adopting the provisions of the Proposed Draft.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1169, S.D. 2, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 1169, S.D. 2, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



