STAND. COM. REP. NO.

Honolulu, Hawaii

March 17

, 2017

RE:

S.B. No. 992

S.D. 2

H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian Affairs, to which was referred S.B. No. 992, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO VESSELS AGROUND,"

begs leave to report as follows:

The purpose of this measure is to clarify the actions that the Department of Land and Natural Resources (Department) may take when responding to grounded vessels. Specifically, this measure clarifies that the Department may assume immediate control of:

- A vessel that is grounded on state submerged land, a shoreline, or a coral reef, or in imminent danger of breaking up, if the vessel cannot be removed by the owner within 24 hours of grounding; and
- A vessel not in imminent danger of breaking up that is (2) grounded on a sand beach, sand bar, or mudflat, after the owner or owner's representative has been given 72 hours of notice to remove the vessel and has not done so in a reasonably safe manner;

provided that the foregoing shall not apply if the owner of the vessel receives notice from the Department and has commenced effective salvage operations.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, Ocean Tourism Coalition, and several individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 992, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 992, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Ocean, Marine Resources, & Hawaiian Affairs,



State of Hawaii House of Representatives The Twenty-ninth Legislature HSCR 1109

Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

| Bill/Resolution No.: SB SD 2 Committee | Referral: | Date: | IH (A- | |
|---|-----------|---|--|---------------------------|
| ☐ The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| OMH Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. ING, Kaniela (C) | | | | |
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| 2. GATES, Cedric Asuega (VC) | √ | \$ ###### ############################# | A MINIS A MERCANICA | SEC. 1889 84 To 114 A. T. |
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| 3. CREAGAN, Richard P. | | | | |
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| 5. LoPRESTI, Matthew S. | | | A Committee de la committee de | |
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| 6. TAKAYAMA, Gregg | | | | |
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| 7. THIELEN, Cynthia | | | | |
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| TOTAL (7) | 日 | | | |
| The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |