May 22, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 22, 2008, the following bill was signed into law:

HB3173 HD1 SD1 CD1 - A BILL FOR AN ACT RELATING TO GROUNDED VESSELS.
(ACT 96)

Sincerely,

LINDA LINGLE
A BILL FOR AN ACT

RELATING TO GROUNDED VESSELS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 200-47.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Solely for the purposes of removal and with no liability to the department, the department may assume control of any vessel that:

(1) Is grounded on a coral reef or in imminent danger of breaking up; and

(2) Cannot be immediately removed by the owner within seventy-two hours in a manner that is reasonably safe, as determined by the department.

Once the department assumes control over the vessel, the vessel shall be [directed to a safer location.] removed by conventional salvage methods to minimize damage to the natural resources and not become a hazard to navigation. All costs and expenses of removing the vessel and [damages] damage to state or private property shall be the sole responsibility of the vessel's owner or operator. This section shall apply whether the vessel is attended or deemed derelict under section 200-48."
SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

APPROVED this 22 day of MAY, 2008

GOVERNOR OF THE STATE OF HAWAII