

STAND. COM. REP. NO.

2971

Honolulu, Hawaii

MAR 17 2008

RE: H.B. No. 3173  
H.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 3173, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to minimize the damage done to natural resources of Hawaii and to prevent navigational hazards by authorizing the Department of Land and Natural Resources to remove a grounded vessel under its control by any means necessary if the vessel is in imminent danger of breaking up or when the owner cannot remove the grounded vessel in a reasonably safe manner within seventy-two hours.

Testimony in support of this measure was submitted by the Department of Land and Natural Resources. The Ocean Tourism Coalition and two individuals testified in support of the intent of this measure and provided recommended amendments.

Your Committee expressed concern as to whether allowing the Department of Land and Natural Resources to use "any means necessary" to remove a grounded vessel under its control was an appropriate standard, or whether that standard was overly broad. Your Committee encourages further discussion in this regard as the measure moves on to the Committee on Judiciary and Labor.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B.

2008-1911 SSCR SMA.doc



No. 3173, H.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Water and Land,



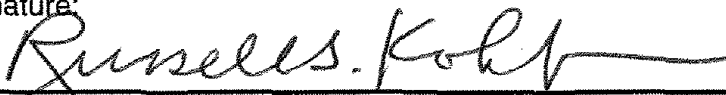
---

CLAYTON HEE, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 3173, HD 1	WTL, JDL	03-12-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)		/		
FUKUNAGA, Carol				/
TOKUDA, Jill N.	/			
WHALEN, Paul				/
<b>TOTAL</b>	2	1		2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes