

Honolulu, Hawaii

FEB 16 2011

RE: S.B. No. 717  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.B. No. 717 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Remove the authority of the Chairperson of the Board of Land and Natural Resources to dispose of abandoned vessels found on private property; and
- (2) Make owners of public or private property responsible for and authorized for the disposition of abandoned vessels found on their respective property.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and the Ocean Tourism Coalition. Your Committee received testimony in opposition to this measure from the Department of the Corporation Counsel, City and County of Honolulu; Department of Parks and Recreation, City and County of Honolulu; and Department of Customer Services, City and County of Honolulu.

Your Committee finds that the responsibility of disposing of all abandoned vessels currently rests with the Department of Land and Natural Resources. In the last seven years, the Department has had to pay in excess of \$750,000 to remove abandoned vessels. Your Committee further finds that shifting the responsibility for



disposing of abandoned vessels to the appropriate owners of property on which an abandoned vessel is located will alleviate strain on the Department's resources, while providing for a more efficient disposal process.

Your Committee has amended this measure by:

- (1) Making the duty of the Chairperson of the Board of Land and Natural Resources to take into custody and dispose of certain abandoned vessels mandatory rather than discretionary; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 717, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 717, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land, and Housing**  
**WLH**

Bill / Resolution No.:* <i>SB 717</i>	Committee Referral: <i>WLH, JPL</i>	Date: <i>2-10-11</i>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<i>5</i>			<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Malama J. JPL</i>				
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\*Only one measure per Record of Votes