

STAND. COM. REP. NO. 568

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 791
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 791 entitled:

"A BILL FOR AN ACT RELATING TO VESSELS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify removal of unauthorized vessels on state property or in the waters of the State;
- (2) Clarify the definition of an "abandoned vessel";
- (3) Reduce the time limit to claim an unauthorized vessel that is impounded by the Department of Land and Natural Resources (DLNR) from thirty days to ten working days;
- (4) Reduce the time limit to claim an abandoned vessel that is impounded by a state or county agency from twenty days to ten working days;
- (5) Make abandonment of a vessel on waters of the State or public property a petty misdemeanor;
- (6) Clarify auction requirements regarding abandoned vessels; and



(7) Allow DLNR to charge an impound storage fee.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Reef and Ocean Coalition.

Your Committee finds that existing law requires DLNR to provide a seventy-two-hour notice of intent to impound an unauthorized, abandoned, grounded, or derelict vessel before being able to take control of the vessel. However, in some instances, the condition of the vessel rapidly deteriorates, requiring additional labor, increased risks to health and public safety, and additional costs to remove and impound the vessel. This measure shortens the time-period for DLNR to respond and remove abandoned vessels to help protect reefs and maintain ocean health.

Your Committee has amended this measure by 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 and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 791, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 791, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

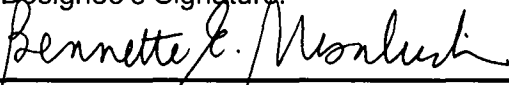
Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 791	Committee Referral: WTL, WAM/JDC	Date: 2-17-2021		
<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
INOUE, Lorraine R. (C)	✓			
KEITH-AGARAN, Gilbert S.C. (VC)	✓			
MISALUCHA, Bennette E.	✓			
RIVIERE, Gil				✓
FEVELLA, Kurt	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes