

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2583

Honorable Members
Twenty-Fifth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2583, entitled "A Bill for an Act Relating to Impounded Vessels."

The original purpose of this bill was to clarify that all costs and expenses associated with the impoundment and disposal of an impounded vessel are to be borne by the vessel owner. The original bill also clarified that mooring fees incurred prior to impoundment are also the responsibility of the vessel owner, regardless of whether the vessel owner repossesses the vessel. Amendments made to the bill added a new section 1 to establish civil and administrative penalties for shark feeding, including seizure and impoundment or forfeiture of any commercial marine license, vessel, and fishing equipment, and administrative fines, fees, and costs.

This bill is objectionable because it violates Section 14 of Article III of the Hawaii Constitution, which states that "[e]ach law shall embrace but one subject, which shall be expressed in its title." The subject of this bill that is expressed in its title is "impounded vessels." The establishment of civil and administrative penalties for shark feeding appears to go beyond the scope of the subject expressed in the title of this bill.

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For the foregoing reasons, I am returning House Bill
No. 2583 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read 'L. Lingle', with a large, stylized loop at the end.

LINDA LINGLE
Governor of Hawaii