STAND. COM. REP. NO. 2127

Honolulu, Hawaii

Feb. 16

, 2006

RE:

S.B. No. 2006

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 2006 entitled:

"A BILL FOR AN ACT PROHIBITING SALES OF OPIHI,"

begs leave to report as follows:

The purpose of this measure is to prohibit the commercial sale of three species of Hawaiian opihi.

Testimony in support of this measure was submitted by the Department of Land and Natural Resources (DLNR); a Maui County Council member; the Community Conservation Network; Conservation Council for Hawaii; Pa'a Pono Miloli'i, Inc.; and five individuals. Testimony in opposition to this measure was submitted by one individual.

Your Committee finds that, in recent years, the number of edible opihi found in Hawaii has declined. The popularity of opihi as a delicacy has led to overharvesting on the island of Oahu and has made opihi difficult to find on the neighbor islands. Thus, this measure prohibits the sale of three types of edible opihi.

Your Committee noted testimony from DLNR explaining that:

(1) With an unlimited recreational harvest of opihi, enforcement of commercial opihi picking may be very difficult. Thus, DLNR suggested that a one-quart

recreational bag limit of opihi with its shell on should be added to this measure; and

(2) There is a fourth species of Hawaiian opihi, cellana melanostoma, that should also be protected.

Your Committee has amended this measure by adopting DLNR's suggestions and making technical, nonsubstantive changes for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2006, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2006, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

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

RUSSELL S. KOKUBUN, Chair

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The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Water, Land and Agriculture (Bills and Resolutions)

Measure:* SB2006	Committee Refe) Date	28	06
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)					
Members		Ayes	Ayes(WR) Nays	Excused
KOKUBUN, Russell S. (C)					
HOOSER, Gary L. (VC)		· · · ·	···•		
ENGLISH, J. Kalani					
FUKUNAGA, Carol					
HEMMINGS, Fred					
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TOTAL		3			2-
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: Therefore Therefore					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Do <u>not</u> list more than one measure per Record of Votes.