

Honolulu, Hawaii

, 2009

APR 30 2009

RE: S.B. No. 1
S.D. 1
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO OPIHI,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to rehabilitate the natural populations of all Hawaiian opihi species and establish a new direction for the management of the fishery.

Specifically, this measure:

- (1) Establishes a five-year moratorium on the harvesting of opihi on Oahu; and
- (2) Establishes a ban on taking or harvesting opihi statewide, subject to open and closed seasons and the traditional rights of certain ahupuaa tenants.



Your Committee finds that breeding adult opihi needs to be protected to ensure opihi populations will replenish themselves. Opihi have free swimming larvae which can disperse from the no take areas into areas where harvest is legal. Oahu requires more drastic actions to rehabilitate its opihi populations due to overharvesting.

Your Committee has amended this measure by:

- (1) Amending the closed seasons to be from February 1st through May 31st and September 1st through November 30th, to accurately reflect the opihi breeding cycles;
- (2) Including a bag limit for the open seasons of one quart of opihi with shells attached, or one half pint of opihi without shells attached, per day; and
- (3) Amending the effective date to upon approval while retaining the June 30, 2014, repeal date.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE



KEN ITO, Co-Chair



JON RIKI KARAMATSU, Co-Chair

ON THE PART OF THE SENATE



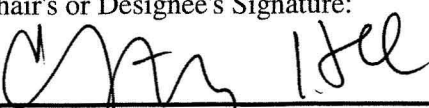
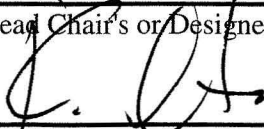
CLAYTON HEE, Chair



Hawaii State Legislature

car 81

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 1, SD 1, HD 2					Date/Time: 4/30/09 10:40am				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	✓				ITO, Ken, Co-Chr.	✓			
FUKUNAGA, Carol	✓				KARAMATSU, Jon Riki, Co-Chr.	✓			
HEMMINGS, Fred	✓				SAGUM, Roland D., III				✓
					THIELEN, Cynthia	✓			
TOTAL	3	0	0	0	TOTAL	3	0	0	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod <i>File with Conference Committee Report</i> <i>House Clerk's Office</i> <i>Senate Clerk's Office</i> <i>Drafting Agency</i>									