STAND. COM. REP. NO. 870-10

Honolulu, Hawaii March 19, 2010

RE: S.B. No. 2409 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 2409, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS,"

begs leave to report as follows:

The purpose of this bill is to give those who hold permits to take marine life or engage in prohibited activities in Marine Life Conservation Districts (MLCD) sufficient notice of any changes to permit conditions by requiring the Department of Land and Natural Resources (DLNR) to provide 90 calendar days written notice of any such changes, when possible.

The Ocean Tourism Coalition testified in support of this bill. DLNR opposed this measure.

In its committee report, the Committee on Economic Revitalization, Business, & Military Affairs, the previous committee by which this bill was heard, requested your Committee to consider alternatives to the use of the phrase "if at all possible," in an effort to provide exceptions for DLNR to the 90day notice requirement. Upon further consideration, your Committee has amended this bill by clarifying that the situations under which DLNR must provide the 90-day notice does not include permit conditions or situations that require immediate modification or imposition of new conditions to protect or preserve the MLCD, as determined by DLNR.

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As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2409, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.B. No. 2409, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Water, Land, & Ocean Resources,

KEN ITO, Chair



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State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 870-16

## Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.:Committee Referral:Date:SB 24 9, HD1EBM, WLO, JUD3/18/10				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)				
2. HAR, Sharon E. (VC)	V			
3. CABANILLA, Rida				
4. CHANG, Jerry L.	V			
5. CHONG, Pono				
6. COFFMAN, Denny				
7. HERKES, Robert N.				
8. LEE, Chris			<b></b>	
9. LUKE, Sylvia				
10. MORITA, Hermina M.				
11. SAGUM, Roland D., III	V			
12. CHING, Corinne W.L.	V			
13. THIELEN, Cynthia				
TOTAL (13)	12			
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				