STAND. COM. REP. NO. 1262

Honolulu, Hawaii Meak27, 2009 RE: S.B. No. 378 S.D. 1

H.D. 1

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

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 378, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FISHING,"

begs leave to report as follows:

The purpose of this bill is to protect the state's precious marine resources by establishing fishing bag limits and size restrictions for uhu and goatfish on the island of Maui.

The Department of Land and Natural Resources (DLNR), The Nature Conservancy, Maui Tomorrow Foundation, Inc., the Hawaii Democratic Party, Project Tsunami, The Snorkel Bob Foundation, Green Divers Productions, and numerous concerned individuals supported this bill. Hawaii Nearshore Fishermen and several concerned individuals opposed this measure.

Your Committee has amended this bill by deleting its contents and replacing it with the contents of H.B. No. 1712, H.D. 2. As amended, this bill requires DLNR to:

 Continue to hold public informational meetings to hear concerns and suggestions from the public regarding the taking and protection of uhu, weke/moana kali, and ulua/papio;



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- (2) Use and present all available data to support the basis for any rule proposed based on public input, and if no data is available, use all available means to gather the necessary data;
- (3) Develop a monitoring and evaluation program to determine the effects that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion into the marine ecosystem, and the introduction of invasive species have on the ecosystem that affect the habitat and forage of uhu, weke/moana kali, and ulua/papio; and
- (4) Develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rule and estimate the timeframes through which the outcomes will be achieved.

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. 378, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 378, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

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

KEN 1TO, Chair



State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR1262

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

Bill/Resolution No.: SB 318, SDI	Committee Referral: WVO, JYD		Date: 3/23/09	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)				
2. HAR, Sharon E. (VC)				
3. CABANILLA, Rida				
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				
4. CHANG, Jerry L.				
5. CHONG, Pono				\checkmark
6. COFFMAN, Denny				
6. COFFMAN, Denny				
7. HERKES, Robert N.				
8. LEE, Chris				
9. LUKE, Sylvia				
10. MORITA, Hermina M.				
11. SAGUM, Roland D., III				
12. CHING, Corinne W.L.				
12 THEFT EN Complete				
13. THIELEN, Cynthia	AD			
TOTAL (13)	8	3		2
The recommendation is: Adopted Not Adopted If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				