

STAND. COM. REP. NO. 222

Honolulu, Hawaii
February 13, 2015

RE: H.B. No. 1478
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian
Affairs, to which was referred H.B. No. 1478 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN ISLANDS HUMPBACK
WHALE NATIONAL MARINE SANCTUARY,"

begs leave to report as follows:

The purpose of this measure is to codify the State's role in the co-management of the Hawaiian Islands Humpback Whale National Marine Sanctuary under the federal-state Compact Agreement for the Coordinated Management of the Hawaiian Islands Humpback Whale National Marine Sanctuary. This measure establishes the Hawaiian Islands Humpback Whale National Marine Sanctuary Program in the Department of Land and Natural Resources and the position of Sanctuary Co-manager to represent the interests of the State in joint state-federal Sanctuary management activities.

The Department of Land and Natural Resources, Office of Planning, The Nature Conservancy of Hawai'i, Maui Nui Marine Resource Council, Conservation Council for Hawai'i, Kua'aina Ulu 'Auamo, the Ocean Tourism Coalition, Hawai'i Green Growth, Humane Society of the United States-Hawaii, and numerous individuals submitted testimony in support of this measure. Farming, Hunting, Fishing Association and two individuals submitted testimony in opposition to this measure. One individual submitted comments.



Although the State's co-management role for the Sanctuary was established by and memorialized in the Compact Agreement, which the State and the National Oceanic and Atmospheric Administration (NOAA) formalized in 1998, it has never been codified in state law. Your Committee finds that the time is right to do so now. The federal government has provided the sole source of funding support for Sanctuary activities since 1998 but that funding has sharply declined and is set to expire in 2015. Further, NOAA has plans to expand the Sanctuary's coverage area to include more state waters and its management scope to include all natural and cultural resources within its boundaries. Your Committee finds that State funding of and participation in Sanctuary management is critical to ensure that interests of the State and its communities continue to be represented in the management of this important conservation program.

Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive amendments for the purposes of clarity and consistency; and
- (2) Changing its effective date to December 24, 2088, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1478, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Ocean, Marine
Resources, & Hawaiian Affairs,


KANIELA ING, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HB CR 222

Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

| Bill/Resolution No.: HB 1478 | Committee Referral: OMH, JUD, FIN | Date: 2/12/15 | | |
|---|---|-------------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| OMH Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. ING, Kaniela (C) | / | | | |
| 2. LOWEN, Nicole E. (VC) | / | | | |
| 3. CULLEN, Ty J.K. | / | | | |
| 4. EVANS, Cindy | / | | | |
| 5. LEE, Chris | / | | | |
| 6. NISHIMOTO, Scott Y. | / | | | |
| 7. SAY, Calvin K.Y. | / | | | |
| 8. YAMANE, Ryan I. | / | | | |
| 9. POUHA, Feki | / | | | |
| 10. THIELEN, Cynthia | / | | | |
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| TOTAL (10) | 10 | 0 | 0 | 0 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: <u>Nicole E. Lowen</u> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |