

Honolulu, Hawaii FEB 1 3 2015

S.B. No. 1165 RE: S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Madam:

Your Committees on Water and Land and Energy and Environment, to which was referred S.B. No. 1165 entitled:

"A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF OCEAN RESOURCES."

beg leave to report as follows:

The purpose and intent of this measure is to:

- Establish the Hawaiian Islands Humpback Whale National (1) Marine Sanctuary program within the Department of Land and Natural Resources:
- Establish the Papahanaumokuakea Marine National Monument (2) program within the Department of Land and Natural Resources;
- Establish the co-managed marine area special fund within (3) the state treasury; and
- Appropriate funds to the co-managed marine area special (4)fund to initially support the programs to provide sufficient time for monies to be deposited into the special fund for the administration and management of the programs.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Office of Environmental Quality Control; Office of Planning; Hawaii Pacific

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University Marine Mammal Stranding Program; Malama Maunalua; Ocean Tourism Coalition; Marine Management Solutions LLC; Kua'aina Ulu 'Auamo; Hawaii National Marine Sanctuary Foundation; Hanalei Watershed Hui; Conservation Council for Hawai'i; The Nature Conservancy; Hawaiian National Communications Corporation; Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council; and sixteen individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the State has historically relied on the federal government to pay for state personnel performing duties relating to the State's co-management of the Hawaiian Islands Humpback Whale National Marine Sanctuary and the Papahanaumokuakea Marine National Monument. This situation has created a perception that a conflict of interest may prevent the federally funded state co-managers from adequately representing the interests of the State. Furthermore, for the past several years the federal government has reduced funding for the state co-manager positions, and federal funding will be eliminated for the upcoming fiscal year.

Your Committees have amended this measure by clarifying the definition of "sanctuary program" to mean the state program that manages the sanctuary.

As affirmed by the records of votes of the members of your Committees on Water and Land and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1165, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1165, S.D. 1, and be referred to the Committee on Ways and Means.

MIKE GABBARD. Chair

Respectfully submitted on behalf of the members of the Committees on Water and Land and Energy and Environment,

LAURA H. THIELEN, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee Referral:			Date:					
GB 1165	WTL/ENE, WAM 02.06.15					.15			
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (W	R)	Nay	Excused			
THIELEN, Laura H. (C)									
GALUTERIA, Brickwood (VC)									
IHARA, Jr., Les									
RIVIERE, Gil									
RUDERMAN, Russell E.									
SHIMABUKURO, Maile S.L.									
SLOM, Sam									
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TOTAL		5				2			
Recommendation: Adopted Not Adopted									
Chair's or Designee's Signature:									
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy									

^{*}Only one measure per Record of Votes

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Energy and Environment ENE

Bill / Resolution No.:*										
5B 1165	WTL/ENE, WAM 2/6/15									
The Committee is reconsidering its previous decision on this measure.										
If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (WR)	Nay	Excused					
GABBARD, Mike (C)		/								
GREEN, Josh (VC)										
GALUTERIA, Brickwood		V								
IHARA, Jr., Les	•	V								
SLOM, Sam					V					
TOTAL		3	0	0	2					
Recommendation: Adopted Not Adopted										
Chair's or Designee's Signature:										
Distribution: Original File with Committee Re	Yellow eport Clerk's Office		UPink Goldenrod Drafting Agency Committee File Copy							

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