

Honolulu, Hawaii

Feb 7, 2006

RE: H.B. No. 2138
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 2138 entitled:

"A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT,"

begs leave to report as follows:

The purpose of this bill is to protect birds and marine life whose behaviors and life cycles are affected by artificial light by prohibiting artificial lighting in all areas along the shoreline.

The Office of Hawaiian Affairs, Conservation Council for Hawaii, and Sierra Club, Hawaii Chapter, testified in support of this bill. The Department of Business, Economic Development, & Tourism and Land Use Research Foundation of Hawaii opposed this measure. The University of Hawaii Environmental Center offered comments.

Your Committee has amended this bill by:

- (1) Extending exemptions from the artificial lighting prohibition to include:
 - (a) All underwater lighting fixtures and those fixtures directed downward and illuminating a limited area of no more than 30 feet; and



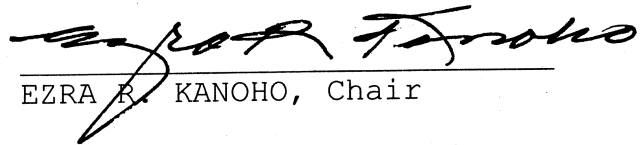
(b) All lighting fixtures that are the only practicable means of ensuring occupant safety and security;

and

- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2138, 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,


EZRA R. KANOHO, Chair



