

Honolulu, Hawaii

April 25, 2008

RE: H.B. No. 3174
H.D. 1
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 3174, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to:

- (1) Require the Department of Land and Natural Resources (DLNR) to adopt, amend, and repeal administrative rules that are equivalent to and consistent with federal fisheries regulations, under certain conditions;
- (2) Specifically allow the Board of Land and Natural Resources (BLNR) to annually declare a fishing season, total fishing quota, or individual fishing quotas, or adopt rules relating to bag, size, and gear limits



consistent with federal fisheries regulations and state rules adopted under this measure if enacted by the federal government to prevent overfishing; and

- (3) Require DLNR to amend its rules when the federal fisheries agency declares that the fishery is sustainable and amends its regulations.

Your Committee on Conference has amended this bill by:

- (1) Providing that this measure does not apply to the Papahānaumokuākea Marine National Monument;
- (2) Requiring, rather than allowing, BLNR to annually declare a fishing season or fishing quotas, or adopt rules relating to bag, size, and gear limits consistent with federal fisheries regulations and state rules adopted under this measure;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 3174, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 3174, H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

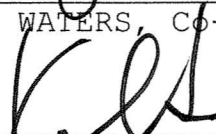
ON THE PART OF THE HOUSE



CLAYTON HEE, Chair



TOMMY WATERS, Co-Chair



KEN ITO, Co-Chair





JON RIKI KARAMATSU, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 3174, HD 1, SD 1	Date/Time: 4/22/08 3:00 pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

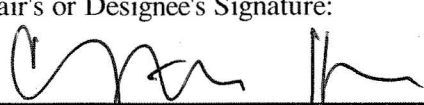

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	✓				WATERS, Tommy, Co-Chr.	✓			
FUKUNAGA, Carol	✓				ITO, Ken, Co-Chr.	✓			
WHALEN, Paul	✓				KARAMATSU, Jon Riki, Co-Chr.	✓			
					THIELEN, Cynthia		✓		
TOTAL	3				TOTAL	3	1		

A = Aye
WR = Aye with Reservations
N = Nay
E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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Distribution:

Original <i>File with Conference Committee Report</i>	Yellow <i>House Clerk's Office</i>	Pink <i>Senate Clerk's Office</i>	Goldenrod <i>Drafting Agency</i>
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