

STAND. COM. REP. NO. 1025-08

Honolulu, Hawaii

Feb 29, 2008

RE: H.B. No. 3174

H.D. 1

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 3174 entitled:

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

begs leave to report as follows:

The purpose of this bill is to:

- (1) Allow the Department of Land and Natural Resources (DLNR) to adopt, amend, and repeal rules that are consistent with federal fisheries regulations for the beneficial joint management of fisheries, under certain conditions; and
- (2) Specifically allow the Board of Land and Natural Resources to declare a fishing season, total fishing quota, or individual fishing quotas, or impose the requirements for other mechanisms, to prevent overfishing, consistent with federal fisheries regulations and rules adopted under this bill.

The Office of Hawaiian Affairs opposed this bill. DLNR and a concerned individual submitted comments.



Your Committee has amended this measure by:

- (1) Requiring, rather than allowing, DLNR to adopt, amend, and repeal rules that are consistent with federal fisheries regulations for the beneficial joint management of fisheries, under certain conditions;
- (2) Specifying that the provisions contained in this bill shall not be construed to prohibit any person from exercising native Hawaiian gathering rights or traditional cultural practices;
- (3) Establishing that rules adopted pursuant to this bill shall not be exempt from the Administrative Procedures law; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,



MARCUS R. OSHIRO, Chair



