

Honolulu, Hawaii

APR 01 2008

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

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

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 3174, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure 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 to annually declare a fishing season, total fishing quota, or individual fishing quotas, or impose the requirements for other mechanisms, to prevent overfishing, that are consistent with federal fisheries regulations and rules adopted under this measure; and
- (3) Require that when the federal fisheries agency declares the fishery to be sustainable and accordingly amends or repeals its regulations, the DLNR shall amend its rules or regulations accordingly.

Testimony in support of this measure was submitted by the Board of Land and Natural Resources, Office of Hawaiian Affairs,



and one individual. Testimony in opposition to this measure was submitted by the Hawaii Boaters Political Action Association.

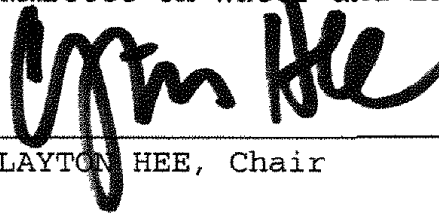
Your Committee finds that this measure would facilitate management and enforcement of shared jurisdiction for fish stocks that occur in both State and federal waters by establishing consistent regulations for both state and federal waters.

Your Committee has amended this measure by:

- (1) Providing that the Board of Land and Natural Resources' authority to enact mechanisms to prevent overfishing must be related to bag, size, and gear limits that are enacted by the federal government; and
- (2) Amending the effective date to July 1, 2050.

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

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,



CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 3174, HD 1	Committee Referral: WTL	Date: 3/24/08
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol				/
TOKUDA, Jill N.				/
WHALEN, Paul	/			
TOTAL	3			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Russell S. Kohn

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*Only one measure per Record of Votes