

STAND. COM. REP. NO. 682

Honolulu, Hawaii

March 5, 2009

RE: H.B. No. 1144
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 1144 entitled:

"A BILL FOR AN ACT RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES,"

begs leave to report as follows:

The purpose of this bill is to encourage greater participation in endangered species restoration by private landowners by statutorily authorizing the development and use of programmatic safe harbor agreements (SHAs) and programmatic habitat conservation plans (HCPs) and the tools, such as certificates of inclusion, needed to implement them.

The Department of Land and Natural Resources and Department of Business, Economic Development, and Tourism testified in support of this bill. The Sierra Club-Hawaii Chapter and Earthjustice opposed this measure. A concerned individual provided comments.

Your Committee finds that the Endangered Species Recovery Committee (ESRC) currently plays an important role in ensuring the success of proposed HCPs and SHAs. Accordingly, your Committee has amended this bill by making the issuance of certificates of inclusion provided for in programmatic SHAs and HCPs to extend the coverage of the incidental take license to landowners enrolling in the programmatic plan at a later date, contingent on the review and approval of the ESRC.

HB1144 HD1 HSCR WLO HMS 2009-2644

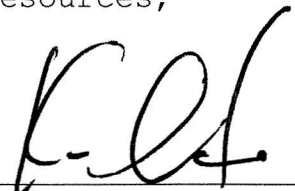


Your Committee has further amended this bill by:

- (1) Changing the effective date to June 20, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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. 1144, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1144, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR682

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB1144	Committee Referral: WLO	Date: 03/02/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	X			
2. HAR, Sharon E. (VC)				X
3. CABANILLA, Rida		X		
4. CHANG, Jerry L.				X
5. CHONG, Pono	X			
6. COFFMAN, Denny	X			
7. HERKES, Robert N.				X
8. LEE, Chris	X			
9. LUKE, Sylvia				X
10. MORITA, Hermina M.				X
11. SAGUM, Roland D., III				X
12. CHING, Corinne W.L.		X		
13. THIELEN, Cynthia		X		
TOTAL (13)	4	3		6
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				