

STAND. COM. REP. NO. 1261

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 1
S.D. 1
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 S.B. No. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OPIHI,"

begs leave to report as follows:

The purpose of this bill is to rehabilitate the natural populations of Hawaiian opihi species by:

- (1) Establishing a five-year moratorium on the harvesting of opihi on Oahu;
- (2) Establishing a ban on taking or harvesting opihi statewide, subject to open and closed seasons and the traditional rights of ahupuaa tenants; and
- (3) Requiring the Department of Land and Natural Resources (DLNR) to submit an annual report to the Legislature on the effectiveness and enforcement of the statewide seasonal ban.

The Office of Hawaiian Affairs, The Nature Conservancy, Kawaihapai Ohana, KUPA, the Koolaupoko Hawaiian Civic Club, Hawaii Community Stewardship Network, and several concerned individuals supported this bill. DLNR opposed this bill.

Your Committee has amended this bill by:

SB1 HD1 HSCR WLO HMS 2009-3385



- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive changes 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 S.B. No. 1, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1, S.D. 1, 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,



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 1261

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

Bill/Resolution No.: SB 1, SD1	Committee Referral: WLO, JUD	Date: 3/25/09		
<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)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.				✓
5. CHONG, Pono				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. LEE, Chris	✓			
9. LUKE, Sylvia				✓
10. MORITA, Hermina M.				✓
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.				✓
13. THIELEN, Cynthia	✓			
TOTAL (13)	7			6
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				