

Honolulu, Hawaii

APR 19 2010 , 2010

RE: S.B. No. 2441
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2441, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES,"

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 measure is to protect the Hawaiian monk seal from harassment and death by establishing the crime of intentionally or knowingly taking a Hawaiian monk seal as a class C felony.

This measure is in response to two recent intentional killings of Hawaiian monk seals on Kauai and one on Molokai. In September 2009, a Kauai man pleaded guilty to shooting a monk seal in violation of the federal Endangered Species Act. The man received a ninety-day jail term, one year supervised release, and a \$25 fine.



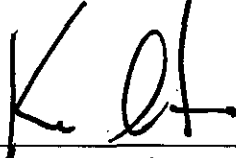
With the number of monk seals increasing in the main Hawaiian islands, occurrences of human and seal interactions are on the rise. It is critical for the survival of the monk seals that Hawaii develop a culture of cohabitation, that will not tolerate any kind of inappropriate or violent behaviors toward these endangered animals. Your Committee finds that increased penalties for the intentional or knowing taking of an Hawaiian monk seal will protect the species from future harassment and death.

Your Committee has amended the measure by changing the effective date to upon approval.

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 S.B. No. 2441, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2441, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE



KEN ITO, Co-Chair

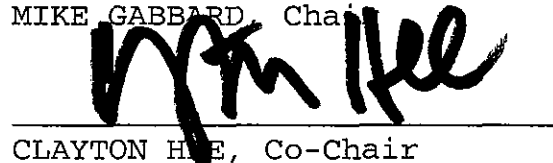


JON RIKI KARAMATSU, Co-Chair

ON THE PART OF THE SENATE



MIKE GABBARD, Chair



CLAYTON HEE, Co-Chair



BRIAN T. TANIGUCHI, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 2441, SD 2, HD 2	Date/Time: <i>April 14, 2010 2:18 p.m.</i>
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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.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GABBARD, Mike, Chr.	✓				ITO, Ken, Co-Chr.	✓			
HEE, Clayton, Co-Chr.	✓				KARAMATSU, Jon Riki, Co-Chr.	✓			
TANIGUCHI, Brian T., Co-Chr.	✓				CHOY, Isaac W.				✓
HOOSER, Gary L.				✓	LEE, Chris	✓			
SLOM, Sam	✓				THIELEN, Cynthia				✓
TOTAL	4	0	0	1	TOTAL	3	0	0	2

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

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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