

Honolulu, Hawaii

April 29, 2011

RE: H.B. No. 1079
H.D. 2
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1079, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FEES FOR HABITAT CONSERVATION PLANS,"

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 bill is to protect Hawaii's threatened and endangered species by:

- (1) Authorizing the Department of Land and Natural Resources (DLNR) to collect fees to cover the costs of their Habitat Conservation Technical Assistance Program, which assists landowners in the development, review, and monitoring of habitat conservation plans;
- (2) Requiring DLNR to adopt rules for the establishment of the fees; and



- (3) Providing for the fees to be deposited into the Endangered Species Trust Fund.

After careful consideration, your Committee on Conference has amended this bill by:


- (1) Allowing DLNR to collect fees and payment for costs incurred for use of the Habitat Conservation Technical Assistance Program in the development, review, or monitoring of a specific habitat conservation plan;
- (2) Specifying that the fees will be charged at an hourly rate of \$50;
- (3) Specifying that the fees and payment for costs collected by DLNR must be deposited into the Endangered Species Trust Fund; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

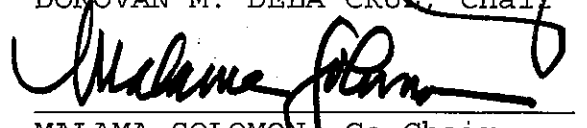
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1079, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1079, H.D. 2, S.D. 1, C.D. 1.


Respectfully submitted on behalf
of the managers:

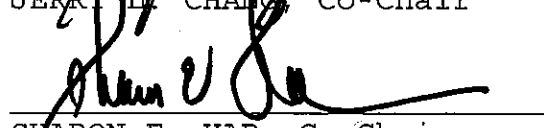
ON THE PART OF THE SENATE

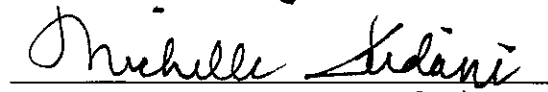
ON THE PART OF THE HOUSE


DONOVAN M. DELA CRUZ, Chair


MALAMA SOLOMON, Co-Chair


JERRY L. CHANG, Co-Chair


SHARON E. HAR, Co-Chair


MICHELLE KIDANI, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 1079, HD 2, SD 1 Date/Time: 4/28/11 1:07 pm

- 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.

Table with columns for Senate Managers and House Managers, and sub-columns for A, WR, N, E. Includes names like DELA CRUZ, SOLOMON, KIDANI, CHANG, HAR, ITO, TOKIOKA, RIVIERE and a TOTAL row at the bottom.

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

Senate Recommendation is: [X] Adopted [] Not Adopted House Recommendation is: [X] Adopted [] Not Adopted

Senate Lead Chair's or Designee's Signature: [Signature] House Lead Chair's or Designee's Signature: [Signature]

Distribution: Original File with Conference Committee Report Yellow House Clerk's Office Pink Senate Clerk's Office Goldenrod Drafting Agency