

Honolulu, Hawaii

April 5, 2012

RE: S.B. No. 580
S.D. 2
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 580, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC LIFE,"

begs leave to report as follows:

The purpose of this measure is to protect Hawaii's marine environment by, among other things:

- (1) Requiring the Department of Land and Natural Resources to conduct a review of the effectiveness of two existing marine life conservation districts on Maui and conduct a similar review every five years after the initial review;
- (2) Requiring the Department to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session following the review; and
- (3) Statutorily establishing the Division of Aquatic Resources within the Department.



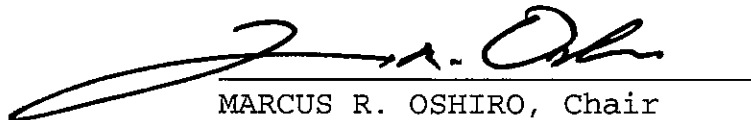
Alii Holo Kai and Hawaii Nearshore Fishermen testified in support of this measure. The Department of Land and Natural Resources, Department of the Attorney General, Department of Business, Economic Development, and Tourism, and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Deleting references to the Hawaii Administrative Procedure Act, otherwise known as Chapter 91, Hawaii Revised Statutes, as it pertains to the requirement that the Department of Land and Natural Resources hold public meetings and hearings with regard to the review of the effectiveness of the marine life conservation districts on Maui since Chapter 91, Hawaii Revised Statutes, governs the rulemaking process and contested case hearings and would not apply in this case;
- (2) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 580, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 580, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



