

Honolulu, Hawaii
February 7, 2013RE: H.B. No. 359
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian Affairs, to which was referred H.B. No. 359 entitled:

"A BILL FOR AN ACT RELATING TO OCEAN RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to establish a framework for the Department of Land and Natural Resources to examine and inspect the vessels, containers, equipment, and records of commercial fishers within the West Hawaii Regional Fishery Management Area.

The Office of Hawaiian Affairs, West Hawaii Fisheries Council, Quality Marine, ESAIA e.V, Pet Industry Joint Advisory Council, Conservation Council for Hawaii, and numerous individuals testified in support of the measure. Coral Fish Hawaii and one individual testified in opposition to the measure. The Department of Land and Natural Resources submitted comments.

Your Committee finds that the Legislature established the West Hawaii Regional Fishery Management Area to improve the management of consumptive and nonconsumptive uses of aquatic resources encompassing the regional ocean area on the west coast of Hawaii Island. However, the success of the West Hawaii Regional Fishery Management Area continues to be threatened by the difficulties of resource monitoring and ensuring compliance with fishery management area regulations.



Your Committee also finds that the limited capacity of resources enforcement personnel, and their lack of inspection authority absent evidence establishing probable cause, prevents the Department of Land and Natural Resources from effectively monitoring compliance with these regulations. This measure will provide enhanced tools to better ensure compliance and monitoring of direct resource extraction activities within the West Hawaii Regional Fishery Management Area.

Your Committee has amended this measure by making technical nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 359, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 359, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Ocean, Marine
Resources, & Hawaiian Affairs,



FAYE P. MANOHANO, Chair



