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February 3, 2016

RE: H.B. No. 2039 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2039 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to protect the nearshore aquatic resources of Hawaii by, among other things:

- (1) Establishing a Community-based Marine Resources Grant Program;
- (2) Permanently establishing five specific positions within the Department of Land and Natural Resources; and
- (3) Converting 12 temporary positions in the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources to permanent positions.

The Department of Land and Natural Resources, Office of Planning, Aha Moku Advisory Committee, Conservation Council for Hawaii, The Nature Conservancy, Kuaaina Ulu Auamo, and many concerned individuals supported this measure. A concerned individual opposed the measure.

Your Committee has amended this measure by:

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- (1) Establishing the Community-based Marine Resources Grant Program in Chapter 187A, Hawaii Revised Statutes, which pertains to aquatic resources, instead of Chapter 171, Hawaii Revised Statutes, which pertains to public lands, because Chapter 187A, Hawaii Revised Statutes, more appropriately addresses the needs of the Community-based Marine Resources Grant Program;
- (2) Providing that individual grant awards under the Community-based Marine Resources Grant Program be managed by the Department of Land and Natural Resources, rather than a qualified non-profit or government fiscal sponsor that charges no more than a 10-percent overhead rate for financial management;
- (3) Clarifying that the new community-based fishing area planner would support all community-based fishing areas -- not just community-based subsistence fishing areas; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2039, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2039, H.D. 1, and be referred to your Committees on Ocean, Marine Resources. & Hawaiian Affairs and Water & Land.

Respectfully submitted on behalf of the members of the Committee on Energy & Environmental Protection,

CHRIS LEE, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 2039	Committee Referral: EEP, OMH/WAL, FI	Date:	2/2/	16
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes Aye	s (WR)	Nays	Excused
1. LEE, Chris (C)				
2. LOWEN, Nicole E. (VC)				
3. CULLEN, Ty J.K.				(Mex)
4. EVANS, Cindy		:		₩
5. ING, Kaniela				
6. NISHIMOTO, Scott Y.	V		:	
7. SAY, Calvin K.Y.				
8. YAMANE, Ryan I.		·	}	
9. POUHA, Feki				
10. THIELEN, Cynthia				
TOTAL (10)	8	1		1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: Nivole E. Lower				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				