

Honolulu, Hawaii

FEB 13 2015

RE: S.B. No. 1165
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Water and Land and Energy and Environment,
to which was referred S.B. No. 1165 entitled:

"A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF OCEAN
RESOURCES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Hawaiian Islands Humpback Whale National Marine Sanctuary program within the Department of Land and Natural Resources;
- (2) Establish the Papahānaumokuākea Marine National Monument program within the Department of Land and Natural Resources;
- (3) Establish the co-managed marine area special fund within the state treasury; and
- (4) Appropriate funds to the co-managed marine area special fund to initially support the programs to provide sufficient time for monies to be deposited into the special fund for the administration and management of the programs.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Office of Environmental Quality Control; Office of Planning; Hawaii Pacific



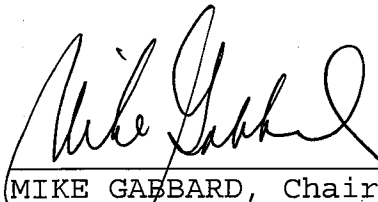
University Marine Mammal Stranding Program; Malama Maunalua; Ocean Tourism Coalition; Marine Management Solutions LLC; Kua'aina Ulu 'Auamo; Hawaii National Marine Sanctuary Foundation; Hanalei Watershed Hui; Conservation Council for Hawai'i; The Nature Conservancy; Hawaiian National Communications Corporation; Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council; and sixteen individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the State has historically relied on the federal government to pay for state personnel performing duties relating to the State's co-management of the Hawaiian Islands Humpback Whale National Marine Sanctuary and the Papahānaumokuākea Marine National Monument. This situation has created a perception that a conflict of interest may prevent the federally funded state co-managers from adequately representing the interests of the State. Furthermore, for the past several years the federal government has reduced funding for the state co-manager positions, and federal funding will be eliminated for the upcoming fiscal year.

Your Committees have amended this measure by clarifying the definition of "sanctuary program" to mean the state program that manages the sanctuary.

As affirmed by the records of votes of the members of your Committees on Water and Land and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1165, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1165, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Energy and Environment,



MIKE GABBARD, Chair



LAURA H. THIELEN, Chair



