

Honolulu, Hawaii

APR 29 2016

RE: S.B. No. 2453
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2453, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES,"

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 measure is to:

- (1) Repeal the prohibition on suspension or waiver of fines for violations of certain aquatic resource laws;
- (2) Authorize the court to require a person who violates certain laws pertaining to aquatic resources to complete an aquatic resources educational class administered by the Department of Land and Natural Resources in lieu of or in addition to paying a monetary fine; and
- (3) Authorize the court to require a person who violates certain laws pertaining to aquatic resources to perform



community service administered by the Department of Land and Natural Resources in lieu of paying a monetary fine.

Your Committee on Conference finds that educational programs and community service opportunities are effective sentencing alternatives to specifically address resource offenses and violators. Educational programs and community service opportunities deter future violations, enhance public knowledge about Hawaii's resources, and ensure that punishment for resource violations is appropriate. Your Committee on Conference further finds that an educational curriculum that provides a broad overview of aquatic resource statutes, rules, and regulations, as well as information about closed seasons, restricted areas, and methods of extraction, already exists and would be easily implemented.


Your Committee on Conference has amended this measure by making it effective upon its approval.

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 S.B. No. 2453, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2453, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


KANIELA ING, Co-Chair


MIKE GABBARD, Chair


KARL RHOADS, Co-Chair

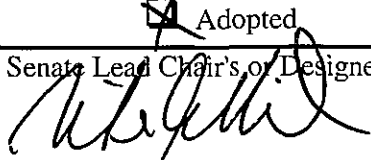
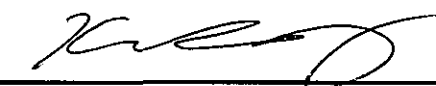

GILBERT S.C. KEITH-AGARAN, Co-Chair


NICOLE E. LOWEN, Co-Chair


GIL RIVIERE, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 2453, HD 1					Date/Time: <i>April 28, 2016 1:45 PM</i>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
GABBARD, Mike, Chr.		✓				ING, Kaniela, Co-Chr.		✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.		✓				RHOADS, Karl, Co-Chr.		✓			
RIVIERE, Gil, Co-Chr.		✓				LOWEN, Nicole E., Co-Chr.		✓			
SLOM, Sam					✓	WARD, Gene		✓			
TOTAL		3	0	0	1	TOTAL		4	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay			E = Excused			
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: 						House Lead Chair's or Designee's Signature: 					
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		