

Honolulu, Hawaii

APR 28 2017

RE: S.B. No. 1240
S.D. 2
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
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. 1240, S.D. 2, H.D. 1, entitled:

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

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 ensure the sustainability of Hawaii's near shore aquatic life by:

- (1) Requiring the Department of Land and Natural Resources (DLNR) to submit proposed legislation to the Legislature prior to the Regular Session of 2019, including a definition of "sustainable", a policy for sustainable collection practices, and limits on aquatic life collection;
- (2) Prohibiting DLNR from issuing new aquarium fish permits or transferring exiting permits; and



- (3) Authorizing DLNR to continue to renew existing aquarium fish permits for current permit holders.

Your Committee on Conference finds that ensuring the sustainability of aquatic life and the protection of coral reefs in state waters is vital to the long-term interests of the people of Hawaii. Your Committee on Conference further finds that the long-term protection of marine resources necessitates a determination of what is sustainable and a policy for sustainable collection practices of near shore aquatic life. Your Committee on Conference notes that there are existing permit holders who earn their livelihoods through aquarium fish collection and finds that the proposed measure is a step in the right direction toward achieving sustainability of aquatic life while allowing existing permit holders to maintain their livelihoods.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that DLNR shall include in its proposed legislation a process for determining annual catch limits for each of the top forty species of near shore aquatic life for sustainable rates of collection;
- (2) Authorizing the transfer of existing aquarium fish permits prior to July 1, 2022, unless the permit has lapsed;
- (3) Limiting DLNR's authority to renew existing aquarium permits to permits that have not lapsed;
- (4) Specifying that a permit is deemed lapsed if it has not been renewed for five or more years immediately preceding the time of transfer of the permit or application for renewal of the permit, including any duration prior to the effective date;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1240, S.D. 2, H.D. 1, as amended herein, and recommends




that it pass Final Reading in the form attached hereto as S.B.
No. 1240, S.D. 2, 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


KARL RHOADS
Chair


TY J.K. CULLEN
Co-Chair


GILBERT S.C. KEITH-AGARAN
Co-Chair



Hawaii State Legislature

CCR 158

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1240, SD 2, HD 1	Date/Time: <i>4/27/17; 2:40 pm</i>
---	---------------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).

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
RHOADS, Karl, Chr.	✓				ING, Kaniela, Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				CULLEN, Ty J.K., Co-Chr.	✓			
THIELEN, Laura H.	✓				THIELEN, Cynthia	✓			
TOTAL	3	0	0	0	TOTAL	3	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
 Yellow
 Pink
 Goldenrod

File with Conference Committee Report
House Clerk's Office
Senate Clerk's Office
Drafting Agency