



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 9, 2019

GOV. MSG. NO. 1379

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith HB1133 HD2 SD2 CD1, without my approval and with the statement of objections relating to the measure.

HB1133 HD2 SD2 CD1

RELATING TO MARINE LIFE CONSERVATION
DISTRICTS.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 9, 2019

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1133

Honorable Members
Thirtieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 1133, entitled "A Bill for an Act Relating to Marine Life Conservation Districts."

The purpose of this bill is to limit the number of commercial-use permits in any marine life conservation district (MLCD) not accessible by land to no more than forty, and to limit access to an MLCD not accessible by land to fifty percent of the current number of permit holders at any one time. The bill requires the Department of Land and Natural Resources (DLNR) to initiate rulemaking for management changes to address concerns regarding overcrowding and fish disruption at the Molokini Shoal MLCD.

This bill is objectionable because it is unnecessary. DLNR already limits the number of commercial-use permits in the Molokini Shoal MLCD, which is the only MLCD that is not accessible by land, to forty.

Furthermore, the bill's language limiting access by commercial-use permit holders to fifty percent of the current number of permit holders at any one time in Molokini Shoal MLCD is counterproductive to DLNR's efforts to address concerns regarding overcrowding. DLNR is in the process of working with the commercial-use permit holders to adjust the operating schedules to coordinate access to better manage the impact of commercial activity on this precious natural resource.

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 1133
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For the foregoing reasons, I am returning House Bill No. 1133 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a large, stylized "Y" and "I".

DAVID Y. IGE
Governor of Hawai'i

A BILL FOR AN ACT

RELATING TO MARINE LIFE CONSERVATION DISTRICTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature recognizes that marine life
2 conservation districts are areas worthy of appropriate
3 designation and treatment due to their location and
4 environmental and scenic importance. Offshore marine life
5 conservation districts allow limited commercial access and
6 provide a protected area for aquatic life. Marine life
7 conservation districts are most popularly used for snorkeling,
8 diving, and underwater photography.

9 The purpose of this Act is to preserve and protect offshore
10 marine life conservation districts by capping the number of
11 commercial use permits that may be granted and limiting access
12 to a per cent of those holding marine life conservation district
13 commercial use permits.

14 SECTION 2. Section 190-4.5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§190-4.5 Anchoring, boating, and mooring in marine life
17 conservation districts; rules. (a) The department shall,
18 pursuant to chapter 91, adopt rules for the regulation of



1 anchoring and mooring in each marine life conservation district
2 established under this chapter.

3 (b) For any marine life conservation district not
4 accessible by land:

5 (1) There shall be no more than a total of forty marine
6 life conservation district commercial use permits;
7 provided that the department shall not issue any new
8 permits in a respective marine life conservation
9 district after forty permits have been issued for that
10 marine life conservation district; and

11 (2) Access by commercial use permittees at any one time
12 shall be limited to fifty per cent, rounded to the
13 lesser of the nearest whole number, of the current
14 number of permit holders.

15 (c) Within its jurisdiction over ocean recreational
16 boating and coastal activities, the department shall adopt rules
17 pursuant to chapter 91 for the regulation of boating in each
18 marine life conservation district established under this
19 chapter."

20 SECTION 3. The department of land and natural resources
21 shall immediately initiate rulemaking pursuant to chapter 91,



1 Hawaii Revised Statutes, for management changes to address
2 concerns regarding overcrowding and fish disruption at Molokini
3 shoal marine life conservation district.

4 SECTION 4. The department of land and natural resources
5 shall submit a report to the legislature on its rulemaking
6 progress no later than twenty days prior to the convening of the
7 regular session of 2020.

8 SECTION 5. New statutory material is underscored.

9 SECTION 6. This Act shall take effect upon its approval.

APPROVED this day of , 2019

GOVERNOR OF THE STATE OF HAWAII



HB No. 1133, HD 2, SD 2, CD 1

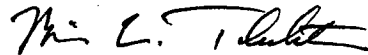
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate