

STAND. COM. REP. NO.

237

Honolulu, Hawaii

, 2023

FEB 09

RE: H.B. No. 1200

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1200 entitled:

"A BILL FOR AN ACT RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to establish an Unmanned Aircraft Systems Program that is compliant with federal and state laws;
- (2) Authorize the use of unmanned aircraft systems to monitor, investigate, and obtain admissible evidence of natural and cultural resource violations;
- (3) Require the Department of Land and Natural Resources to maintain detailed records of unmanned aircraft systems usage and the effectiveness of the program; and
- (4) Beginning January 1, 2026, require an annual report to the Legislature on the Unmanned Aircraft Systems Program.

2023-1344 HB1200 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hanalei Watershed Hui, Environmental Caucus of the Democratic Party of Hawai'i, The Nature Conservancy - Hawai'i and Palmyra, Mālama Pūpūkea-Waimea, Kauhako Ohana Association, Association for Uncrewed Vehicle Systems International, and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that because many of the lands and waters under the responsibility of the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources are in remote or inaccessible areas, it creates obstacles to timely and effective investigation, evidence gathering, and prosecution for natural and cultural resource violations. However, unmanned aircraft systems, commonly known as drones, provide a unique and powerful tool for monitoring and recording potentially illegal activity on public lands and waters and can aid effective enforcement. This measure provides the Division of Conservation and Resources Enforcement with an efficient, cost-effective, and valuable method of obtaining admissible evidence for enforcement proceedings, as well as deters illegal conduct on public lands and waters.

Your Committee has amended this measure by:

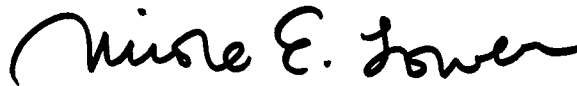
- (1) Extending the deadline for the Department of Land and Natural Resources to establish the Unmanned Aircraft Systems Program to June 30, 2025;
- (2) Specifying various reporting requirements by the Department of Land and Natural Resources to the Legislature on the Unmanned Aircraft Systems Program, including requiring a biennial report beginning January 1, 2027;
- (3) Inserting an appropriation for an unspecified amount for the Unmanned Aircraft Systems Program;
- (4) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider an appropriation amount of \$125,000 for each of fiscal years 2023-2024 and 2024-2025.

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. 1200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1200, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



NICOLE E. LOWEN, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB1200		Committee Referral: EEP, JHA, FIN		Date: 02/7/2023	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
EEP Members		Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)		✓			
2. COCHRAN, Elle (VC)		✓			
3. GATES, Cedric Asuega		✓			
4. KAHALOA, Kirstin		✓			
5. PERRUSO, Amy A.		✓			
6. WOODSON, Justin H.					✓
7. WARD, Gene		✓			
TOTAL (7)		6	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>					
Vice Chair's or designee's signature: <u>Elle Cochran</u>					
Distribution: Original (White) – Committee		Duplicate (Yellow) – Chief Clerk's Office		Duplicate (Pink) – HMSO	