

STAND. COM. REP. NO. 1156

Honolulu, Hawaii

MAR 27 2015

RE: H.B. No. 483
H.D. 1
S.D. 1

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

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 483, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OCEAN RESOURCES,"

begs leave to report as follows:

The purpose and intent of this measure is to provide enhanced tools to better ensure compliance and monitoring of aquatic resource direct extraction activities within West Hawaii by establishing administrative inspection authority for vessels and catch containers of permitted fishers within the waters of West Hawaii and the premises of any wholesale outlet selling aquatic resources.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Aha Moku Advisory Committee, Hawaii Audubon Society, LOST FISH Coalition, and sixteen individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General and eight individuals. Your Committee received comments from the Department of Land and Natural Resources and one individual.

Your Committee finds that this measure would provide the Department of Land and Natural Resources with additional authority, within the West Hawaii regional fishery management area, to conduct administrative inspections of the bags, containers, vehicles, or conveyances of commercial fishers and



marine dealers to check for compliance with fishing laws and rules specific to the West Hawaii regional fishery management area.

Your Committee recognizes that there is still work to be done on this measure regarding issues brought up by the Department of the Attorney General and encourages further discussion as this measure moves along the legislative process.

Your Committee has amended this measure by deleting its contents and replacing them with language that:

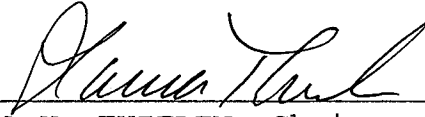
- (1) Allows any agent of the Department of Land and Natural Resources upon whom the Board of Land and Natural Resources has conferred police powers, or who has otherwise been authorized to conduct administrative inspections within the West Hawaii Regional Fishing Management Area, to conduct examinations and inspections of bags and containers which may be used to hold live fish while the fishing vessel or boat is on the water, in a boat harbor or boat ramp, as well as of any motor vehicle in a boat harbor or boat ramp, that is used to transfer the catch of that fishing vessel or boat;
- (2) Prohibits any person to whom an aquarium collecting permit has been issued from permitting any other person to carry, display, or use the permit;
- (3) Requires that every person to whom an aquarium collecting permit has been issued to physically possess the permit when fishing and to show the permit upon the demand of any officer authorized to enforce the fishing laws of the State;
- (4) Requires every aquarium collecting vessel to be registered with the Department, clearly display required identification, and fly flags and meet any other requirements as provided by rules of the Department; and
- (5) Changes the effective date to January 1, 2016, to give the Department of Land and Natural Resources sufficient time to prepare to implement this measure.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B.



No. 483, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 483, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,

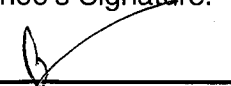


LAURA H. THIELEN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 483, HD1	WTL, JDL	03-25-15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
THIELEN, Laura H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SHIMABUKURO, Maile S.L.	✓			
SLOM, Sam				✓
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes