

Honolulu, Hawaii Fendo, 2008

RE: H.B. No. 3176

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian Affairs, to which was referred H.B. No. 3176 entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK,"

begs leave to report as follows:

The purpose of this bill is to facilitate the imposition of administrative penalties for damage to stony coral and live rock by imposing penalties on a "per square meter" basis, in addition to the "per specimen" basis.

The Office of Hawaiian Affairs, the Nature Conservancy of Hawaii, and several concerned individuals testified in support of this bill. The Department of Land and Natural Resources, Ocean Tourism Coalition, and several concerned individuals provided comments.

Your Committee finds that the current method of calculating penalties for the taking, killing, or injuring of threatened or endangered aquatic life per specimen is difficult to measure for stony coral and live rock, which is more easily calculated on a damaged area basis. Using the "per square meter" method will enable the Board of Land and Natural Resources to effectively assess administrative penalties for damage to stony coral and live rock.



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As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3176 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs,

KEN ITO, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Bill/Resolution No.: HB 3176	Committee Referral: WLH, JUD, FIN		Date: 2-4-08	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)				
2. KARAMATSU, Jon Riki (VC)				
3. CARROLL, Mele				
4. MAGAOAY, Michael Y.				
5. MORITA, Hermina M.				
5. WORTA, nermina M.				
6. SAGUM, Roland D., III				
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7. SAIKI, Scott K.				
8. THIELEN, Cynthia			5	
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TOTAL (8)	7	0	0	l
The recommendation is: I Adopted Not Adopted If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				