

STAND. COM. REP. NO. **1275**

Honolulu, Hawaii

MAR 20 2019

RE: H.B. No. 808
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 808, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SHARK AND RAY PROTECTION,"

begs leave to report as follows:

The purpose and intent of this measure is to protect sharks and rays by:

- (1) Establishing fines and penalties for knowingly capturing, taking, possessing, abusing, or entangling a shark, whether alive or dead, or killing a shark, within state marine waters;
- (2) Expanding the existing prohibition on knowingly capturing or killing a manta ray to apply to all rays; and
- (3) Expanding the prohibition regarding rays to include knowingly taking, possessing, abusing, or entangling a ray, whether alive or dead, or killing a ray, within state marine waters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, The Nature Conservancy Hawai'i, Sierra Club of



Hawai'i, The Humane Society of the United States, Humane Society International, West Hawaii Humane Society, Snorkel Bob's Hawaii, For the Fishes, Friends of Hanauma Bay, and over one hundred fifty individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies and one individual.

Your Committee finds that sharks and rays are extremely important to ocean ecosystems because they keep the ecosystem balanced, regulate populations of other marine life, and ensure healthy fish stock and reefs. Your Committee further finds that sharks and rays play a vital historical and cultural role in Hawaii, including Native Hawaiian customary and traditional rights protected by the Hawaii State Constitution. In 2010, Hawaii became the first state in the nation to enact a prohibition on the sale of shark fins and fin products; however, the law does not prohibit the taking of whole live sharks in state waters. Your Committee finds that this loophole must be closed to protect Hawaii's valuable sharks, and manta ray protections must be expanded to include all rays.

Your Committee has amended this measure by:

- (1) Inserting the Hawaiian words hāhālua, hailepo, and lupe, associated with rays;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 808, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 808, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



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

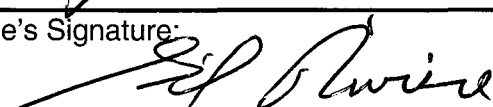


KAIALII KAFELE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB808, HDI	Committee Referral: WTL, JDC/WAM	Date: 3/15/2019		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)				X
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt		X		
TOTAL	3	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes