

STAND. COM. REP. NO.

1964

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 808
H.D. 1
S.D. 2

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 808, H.D. 1, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish 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) Expand the existing prohibition on knowingly capturing or killing a manta ray to apply to all rays; and
- (3) Expand 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 Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Land and Natural Resources, Sierra Club of Hawai'i, The Nature Conservancy of Hawai'i, For the Fishes, West Hawaii Humane Society, Water Inspired Conservation Group, One Ocean Conservation, O'ahu County



Democrats Legislative Priorities Committee, Keiko Conservation International, Malama Mano, and twenty-two individuals. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies, Captain Bob's Kona Fishing Charters, and eight individuals.

Your Committees find 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 Committees further find that article XI, section 1, of the Hawaii State Constitution provides that the State "shall conserve and protect Hawaii's natural beauty and all natural resources". This measure will provide protection for sharks and rays by establishing and expanding prohibitions against knowingly capturing or killing them.

Your Committees have amended this measure by:

- (1) Making it effective on September 1, 2019; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 808, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 808, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i


Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 2008 HD1 SD1	Committee Referral: WTL, JDC/WAM	Date: 4/3/19		
<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
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
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

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB808 HDI SDI	WTL, JDC/WAM	4/3/19		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
INOUE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
TOTAL	10			3
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	

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