

Honolulu, Hawaii

FEB 13 , 2020

RE: H.B. No. 2414
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 2414 entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect sharks by establishing fines and penalties for knowingly capturing, taking, possessing, abusing, or entangling a shark, whether alive or dead, or killing a shark in state marine waters.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Humane Society of the United States, Humane Society International, For the Fishes, Conservation Council for Hawaii, Coral Fish Hawaii, Surfrider Oahu, Aloha Animal Advocates, Mauna Kea Anaina Hou, Kai Palaoa, and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that sharks play an important role in maintaining healthy marine ecosystems, and declines in shark populations negatively impact the entire reef system. Your Committee further finds that overfishing, pollution, and other threats can cause serious declines in shark populations. This



measure protects the shark population by establishing fines and penalties for knowingly capturing, taking, possessing, abusing, entangling, or killing a shark in state marine waters.

Your Committee has amended this measure by:

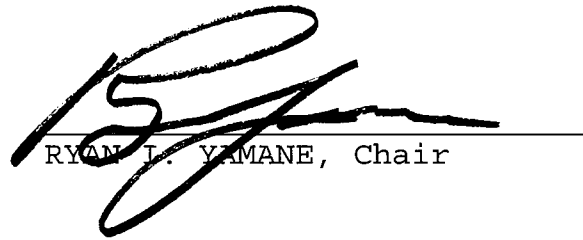
- (1) Expanding the prohibition and fines and penalties proposed by this measure to the harassment of sharks;
- (2) Defining "harassment" of sharks to mean the approach, by any means, within one hundred fifty feet of a shark;
- (3) Requiring the Department of Land and Natural Resources to enforce the measure and verify that all commercial vessels are in compliance with this measure;
- (4) Deleting language that exempts persons who obtain a research or special activity permit from the prohibition and fines and penalties proposed;
- (5) Expanding the exemptions from the prohibition and fines and penalties proposed to:
 - (A) Research conducted by nationally qualified educational institutions;
 - (B) Sharks currently held in captivity; and
 - (C) Sharks taken, captured, possessed, harassed, or killed as part of an accidental catch by a fisher;
- (6) Exempting nationally qualified educational institutions from the requirement to obtain a special activity permit to conduct scientific and educational research activities on sharks;
- (7) Adding a savings clause; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and



purpose of H.B. No. 2414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2414, H.D. 1, and be referred to your Committee on Judiciary.

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



RYAN L. YAMANE, Chair



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

Bill/Resolution No.: HB 2414	Committee Referral: WLH, JUD	Date: 02/07/2020		
<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="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)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. TODD, Chris (VC)	✓			
3. HAR, Sharon E.	✓			
4. LOWEN, Nicole E.	✓			
5. TARNAS, David A.	✓			
6. WILDBERGER, Tina	✓			
7. WARD, Gene		✓		
TOTAL (7)	6	1	0	0
The recommendation is: <input checked="checked" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: _____ <i>Chris Todd</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				