

STAND. COM. REP. NO.

1242

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 1022  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 1022, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE TAKING OF NATURAL RESOURCES,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the Division of Conservation and Resources Enforcement officers, upon reasonable belief that a person is or was recently engaged in hunting or fishing, to briefly detain that person as necessary, to review any relevant licenses, permits or related documents to allow conduct of the activity, and to inspect the wildlife or aquatic life in that person's possession.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of the Attorney General, Kua'āina Ulu 'Auamo, Hawaii Reef and Ocean Coalition, For the Fishes, The Nature Conservancy, Surfrider Foundation O'ahu Chapter, Mālama Pūpūkea-Waimea, and three individuals. Your Committee received testimony in opposition of this measure from one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that although consent to inspection is a condition for granting a game mammal hunting license in public



hunting areas, because unlicensed hunters have not given prior consent to inspection, voluntary compliance must be given to inspect their bags for any illegal taking of wildlife, game, or other natural resources. Your Committee further finds that there is no consent to inspection requirement for non-commercial marine fishing licenses. By lowering the standard for these inspections from upon probable cause to upon reasonable belief, this measure will provide Department of Land and Natural Resources (DLNR) with adequate authority to conduct field inspections for compliance with rules and regulations concerning the taking of natural and cultural resources. Your Committee also finds that this measure clarifies the general conditions under which these inspections would occur. According to testimony received by your Committee, not only is the context, manner, and scope of this administration measure meant to be limited to a civil prosecution and penalty, but its enforcement is limited to its use by DLNR's Conservation and Resources Enforcement Officers in situations related to hunting and fishing activities.

Your Committee has amended this measure by 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. 1022, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1022, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

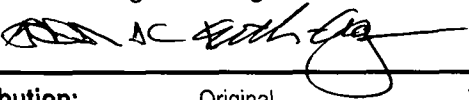
Respectfully submitted on  
behalf of the members of the  
Committee on Water and Land,

  
LORRAINE R. INOUE, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <i>HB 1022, HD 1</i>	Committee Referral: <i>WTL, WAM/JDL</i>	Date: <i>3/15/21</i>		
<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
INOUYE, Lorraine R. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
MISALUCHA, Bennette E.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt			X	
<b>TOTAL</b>	<i>4</i>		<i>1</i>	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes