

STAND. COM. REP. NO. 596

Honolulu, Hawaii  
FEB 19 , 2021

RE: H.B. No. 553  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 553 entitled:

"A BILL FOR AN ACT RELATING TO THE PROTECTION OF SHARKS,"

begs leave to report as follows:

The purpose of this measure is to prohibit knowingly capturing, entangling, or killing a shark in state marine waters, with certain exemptions, and provide penalties and fines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Friends of Hanauma Bay, Center for Biological Diversity, The Humane Society of the United States, Humane Society International, Hawai'i Reef and Ocean Coalition, Animal Rights Hawai'i, For the Fishes, Conservation Council for Hawai'i, Kai Palaoa, Moana 'Ohana, ODA Hawaii, Kalanihale, KAHEA: The Hawaiian-Environmental Alliance, Sierra Club of Hawai'i, Haereticus Environmental Laboratory, Fair Wind, Environmental Caucus of the Democratic Party of Hawai'i, Save the Sea Turtles International, Legacy Reef Foundation, The Kohala Center, Surfrider Kona Kai Ea Chapter, and twelve individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Hawaii Marlin Tournament Series; and fifteen individuals. Your Committee received comments on this measure from the Department of the



Attorney General, University of Hawai'i System, and Hawaii Institute of Marine Biology.

Your Committee finds that sharks are extremely important to ocean ecosystems as they keep the ecosystem balanced, regulate populations of other marine life, and ensure healthy fish stock and reefs. Your Committee further finds that sharks play a vital historical and cultural role in Hawaii, including Native Hawaiian customary and traditional rights protected by the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Adding exemptions for:
  - (A) Research overseen by a state-approved institutional animal care and use committee;
  - (B) Any person who captures or kills sharks for subsistence fishing purposes; and
  - (C) Any person who incidentally takes sharks while targeting other species;
- (2) Requiring the Department of Land and Natural Resources to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to:
  - (A) Ensure that the incidental taking of sharks while targeting other species is not a violation;
  - (B) Prevent the wanton waste of sharks;
  - (C) Limit gear, such as gill nets, in areas identified as shark nursery habitats; and
  - (D) Allow the taking of sharks for subsistence purposes, subject to reasonable regulation by the State for the protection of shark species;
- (3) Clarifying that a person convicted of violating this measure may be sentenced to pay a fine not exceeding \$10,000 per offense;



- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 553, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



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DAVID A. TARNAS, Chair



