

Honolulu, Hawaii

March 2 , 2012

RE: H.B. No. 578  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 578, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish an administrative fine for shark feeding. Specifically, this measure:

- (1) Permits violators to be assessed an administrative fine plus administrative fees and costs and attorney's fees and costs;
- (2) Mandates that each day of violation shall constitute a separate offense;
- (3) Notes that an action to impose or collect a penalty herein shall be considered a civil action; and
- (4) Mandates that any criminal prosecution or penalty imposed for a violation of the section or rule pursuant thereto shall not preclude the imposition of any administrative fine and costs or attorney's fees and costs.



The Department of Land and Natural Resources, The Humane Society of the United States, Kihei Canoe Club, Safe Waters for Hawaii, Kuliouou/Kalani Iki Neighborhood Board #2, and many concerned individuals supported the measure.

Your Committee has amended this measure by:

- (1) Adding a savings clause;
- (2) Changing the effective date to January 7, 2059, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 578, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 578, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
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GILBERT KEITH-AGARAN, Chair



