

Honolulu, Hawaii

FEB 16 2011

RE: S.B. No. 580
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.B. No. 580 entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC LIFE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish prohibitions, penalties, and fines for knowingly selling aquatic life for aquarium purposes taken from waters within the jurisdiction of the State;
- (2) Require an aquarium permit to take marine or freshwater nongame fish and other aquatic life for aquarium purposes; and
- (3) Impose new standards for aquarium permit issuance determinations.

Your Committee received testimony in support of this measure from one county agency, seventeen private entities, and one hundred and fifty-five individuals. Your Committee received testimony in opposition to this measure from one state agency, sixteen private entities, and thirty-nine individuals.

Your Committee finds that the scientific evidence relating to fish populations in Hawaiian waters is disputed. Various individuals, agencies, and institutions have reached conflicting conclusions regarding the populations of the species of fish most



involved in the aquarium trade. Your Committee received a large amount of testimony in opposition to this measure, and understands that the aquarium industry employs hundreds of Hawaii workers at a time of economic insecurity. However, your Committee further finds that preservation and protection of Hawaii's reef fauna is an important responsibility that will benefit the ocean tourism industry that attracts thousands of visitors to Hawaii each year.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language to:
 - (A) Establish two Marine Life Conservation Districts in state marine waters not to extend further than three miles from the shoreline of the Island of Maui; and
 - (B) Require the Department of Land and Natural Resources to report to the Legislature on the effectiveness and enforcement of these conservation district designations; and
- (2) 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, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 580, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 580, S.D. 1, and be referred to the Committee on Judiciary and Labor.

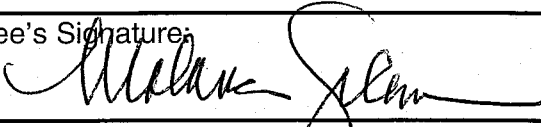
Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 580</i>	<i>WLH, JDL</i>	<i>02-10-11</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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam			✓	
TOTAL	4		1	2
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