

STAND. COM. REP. NO.

79

Honolulu, Hawaii

February 5, 2013

RE: H.B. No. 989

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committees on Water & Land and Ocean, Marine Resources,
& Hawaiian Affairs, to which was referred H.B. No. 989 entitled:

"A BILL FOR AN ACT RELATING TO FISH,"

beg leave to report as follows:

The purpose of this measure is to modify the formula for
calculating the penalties for the unlawful taking of aquarium fish
or specimen of aquatic life.

Specifically, the measure would require multiplying each
separate species unlawfully taken by the quantity of that species
taken, and then assessing a fine based on the species of fish or
aquatic life.

Testimony in support of this measure was submitted the Pet
Industry Joint Advisory Council, Sustainable Aquarium Industry
Association, Quality Marine, Coral Fish Hawaii, and eight
individuals. Written comments were submitted by the Department of
Land and Natural Resources.

Your Committees find that, currently, the penalties for the
unlawful taking of aquarium fish or aquatic life are based upon
the number of species of aquarium fish or aquatic life unlawfully
taken and do not take into account the actual quantity of aquarium
fish or aquatic life unlawfully taken. Therefore, a fisher who
unlawfully takes many specimen of the same species of aquatic life
is only penalized for one violation. Your Committees also find
that, by counting each specimen of fish or aquatic life unlawfully

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taken as a violation, fishers that practice irresponsible and illegal collection of marine life will be penalized in proportion to their violation and thus will have an incentive to adhere to the regulations. Your Committee also finds that there is a need to deter irresponsible fishing and that stricter regulations are needed to responsibly manage stocks of marine life in the State.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 989 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Ocean, Marine Resources, &
Hawaiian Affairs,



FAYE P. HANOHANO, Chair



CINDY EVANS, Chair



