

STAND. COM. REP. NO.

750

Honolulu, Hawaii

February 18, 2015

RE: H.B. No. 511

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian
Affairs, to which was referred H.B. No. 511 entitled:

"A BILL FOR AN ACT RELATED TO HARASSMENT,"

begs leave to report as follows:

The purpose of this measure is to include individuals engaged
in ocean fishing in the same protections from harassment that are
currently applicable to individuals fishing for freshwater game
fish. This measure also clarifies the Division of Conservation
and Resource Enforcement's duty to enforce anti-harassment
statutes.

Your Committee received testimony in support of this measure
from Hawaii Goes Fishing; Ornamental Aquatic Trade Association,
LTD; Pet Industry Joint Advisory Council; Tropical Marine Center;
Oshima Company CPA, LLC; Quality Marine; Pohina, Inc.; and
numerous individuals. Your Committee received testimony in
opposition to this measure from Hanalei Watershed Hui and numerous
individuals. Your Committee received comments on this measure
from the Department of Land and Natural Resources and several
individuals.

Your Committee received more than five hundred pieces of
testimony from both the proponents of and those opposed to this
measure. It is clear that this issue is of the highest importance
to conservation activists and the fishing community. Both sides
of this issue expressed strong feelings and sincere, deeply-held

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convictions. Although differences may appear between proponents and opponents of this measure, it is undeniable that both sides recognize the importance of the reef ecosystem as a natural resource and the value of mutual accountability among members of the diverse ocean community. It is in accordance with that spirit of respect and accountability that your Committee recommends the continued progression of this measure through the legislative process so that voices on all sides may continue to be heard as the Legislature continues its deliberations.

Your Committee has amended this measure by:

- (1) Adding the elements of purposeful conduct and the intent to prevent the taking of aquatic life to the elements of the offense of harassment of fishermen;
- (2) Establishing exemptions to the offense of harassment of fisherman for otherwise lawful citizen conservation enforcement activities;
- (3) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 511, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Ocean, Marine
Resources, & Hawaiian Affairs,


KANIELA ING, Chair



