

STAND. COM. REP. NO.

2346

Honolulu, Hawaii

FEB 18 2016

RE: S.B. No. 2642

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Water, Land, and Agriculture and Judiciary and Labor, to which was referred S.B. No. 2642 entitled:

"A BILL FOR AN ACT RELATING TO SHARK AND RAY PROTECTION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish fines and penalties for knowingly capturing, killing, or taking a shark within state waters; and
- (3) Expand the existing prohibition on knowingly capturing or killing a manta ray to all rays.

Your Committees received testimony in support of this measure from the Humane Society of the United States, Animal Rights Hawaii, West Hawaii Humane Society, Conservation Council for Hawai'i, Defenders of Wildlife, and thirty-seven individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that sharks and rays are extremely important to ocean ecosystems because they keep the ecosystem balanced, regulate populations of other marine life, and ensure healthy fish stock and reefs. Your Committees further find that in 2010, Hawaii became the first state in the nation to enact a prohibition on the sale of shark fins and fin products; however, the law does not prohibit the taking of whole live sharks in state



waters. Your Committees find that this loophole must be closed and manta ray protections must be expanded to include all rays.

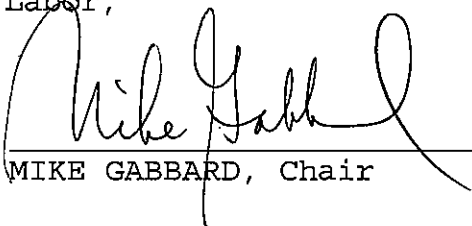
Your Committees have amended this measure by:

- (1) Amending the term "shark" to mean any species of shark within the subclass *Elasmobranchii*;
- (2) Amending the term "ray" to mean any species of ray within the subclass *Elasmobranchii*;
- (3) Inserting a severability clause; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Agriculture and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2642, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2642, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Agriculture and Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair


MIKE GABBARD, Chair



