

Honolulu, Hawaii

March 24, 2016

RE: S.B. No. 2647  
S.D. 1  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 2647, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NATURAL RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to improve coordination between state and other government authorities as encouraged in section 183D-8, Hawaii Revised Statutes, and to remove any potential conflicts of law that unintentionally make Hawaii an attractive market for illegal wildlife trafficking by:

- (1) Prohibiting the sale, offering to sell, purchase, trade, or barter of any part or product from various animal and marine species; and
- (2) Imposing penalties for violations of the prohibition on trafficking animal parts and products.

The William S. Richardson School of Law Animal Legal Defense Fund, Natural Resources Defense Council, Humane Society International, Humane Society of the United States, Hawaii Wildlife Fund, Wildlife Conservation Society, Conservation Council for Hawaii, Nsefu Wildlife Conservation Foundation, Monk Seal Foundation, Vulcan Inc., Global March for Elephants and Rhinos, March for Elephants, Babes Against Biotech, Hawaiian Humane Society, Texoma Earth Day Festival, Apollo Kauai, Zero Waste Kauai, West Hawaii Humane Society, International Fund for Animal

SB2647 HD1 HSCR WAL HMS 2016-2832



Welfare, Elephants DC, and many individuals provided testimony in support of the measure. The National Rifle Association of America and some individuals provided testimony in opposition. The Department of Land and Natural Resources, Snorkel Bobs, and some individuals provided comments.

Your Committee has amended this measure by:

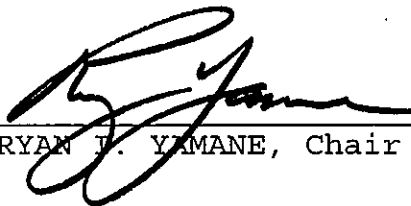
- (1) Clarifying that possession with intent to sell is among the activities prohibited;
- (2) Including the animal family or genus of listed prohibited species;
- (3) Requiring the Board of Land and Natural Resources to concur in prohibiting actions against listed marine animals, sharks, and rays;
- (4) Deleting the requirement that the prohibited marine animals, sharks, and rays be on the International Union for the Conservation of Nature Red List;
- (5) Clarifying that the prohibited marine animals, sharks, and rays can be either endangered or threatened under the Endangered Species Act;
- (6) Excepting from prohibition marine animal activities authorized under the Magnuson-Stevens Fishery Conservation and Management Act;
- (7) Adding to the requirement of protected bona fide antiques, that the covered animal species part or product be a fixed component or components of a larger manufactured item of which the animal species part or product is not the primary source of value;
- (8) Not requiring protected covered animal species parts or products to pass on the death of the owner if through trusts or estates;
- (9) Adding guns and knives to the list of exceptions if the covered animal species portion is less than 20 percent of the gun or knife;
- (10) Authorizing the Department of Land and Natural Resources to adopt rules to implement and enforce the measure;



- (11) Making it effective upon its approval but delaying enforcement until December 31, 2017; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2647, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2647, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,



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RYAN J. YAMANE, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSCR1254-16

**Record of Votes of the Committee on Water & Land**

Bill/Resolution No.: <b>SB 2647, SD1</b>	Committee Referral: <b>WAL, JUD</b>	Date: <b>3-18-2016</b>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:      Pass, unamended (as is)      Pass, with amendments (HD)      Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. CULLEN, Ty J.K. (VC)	✓			
3. EVANS, Cindy	✓			
4. ING, Kaniela	✓			
5. LEE, Chris	✓			
6. LOWEN, Nicole E.	✓			
7. NISHIMOTO, Scott Y.				✓
8. SAY, Calvin K.Y.	✓			
9. POUHA, Feki				✓
10. THIELEN, Cynthia	✓			
<b>TOTAL (10)</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>2</b>

The recommendation is:      Adopted      Not Adopted  
If joint referral, \_\_\_\_\_ did not support recommendation.  
committee acronym(s)

Vice Chair's or designee's signature:

Distribution: Original (White) – Committee     Duplicate (Yellow) – Chief Clerk's Office     Duplicate (Pink) – HMSO