

STAND. COM. REP. NO.

422

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 1022  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1022 entitled:

"A BILL FOR AN ACT RELATING TO THE TAKING OF NATURAL RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify that any police officer or agent of the Department of Land and Natural Resources upon whom the Board of Land and Natural Resources has conferred police powers may, in the performance of their primary duties, inspect certain items for compliance, under certain conditions; and
- (2) Establish penalties for refusal to comply with inspection requests.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; For the Fishes; Kua'āina Ulu 'Auamo; The Nature Conservancy, Hawai'i; Kauhako Ohana Association; and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; Hawaii Fishing News; and four individuals. Your Committee received

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comments on this measure from the Department of the Attorney General, Office of Hawaiian Affairs, and one individual.

Your Committee finds that it has been difficult for Department of Land and Natural Resources Division of Conservation and Resources Enforcement officers to enforce fishing and hunting violations due to legal issues regarding bag and container inspections. This measure provides the limited inspection authority necessary to adequately protect the natural and cultural resources of the State.

Your Committee has amended this measure by:

- (1) Inserting findings relating to the intent of this measure, including the challenges of regulating the extraction of natural resources in the State;
- (2) Clarifying the scope and conditions in which a conservation and resources enforcement officer may stop and temporarily detain any person to review licenses, permits, or related documents and inspect wildlife or aquatic life in that person's possession if the officer reasonably believes is, or recently has been, engaged in the act of hunting or fishing;
- (3) Specifying that natural resource inspections conducted by a conservation and resources enforcement officer shall be conducted within a reasonable distance from the environment from which the fishing or hunting took place, under certain conditions;
- (4) Specifying administrative fines for refusal to comply with natural resource inspections;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1022, as amended herein, and recommends that



it pass Second Reading in the form attached hereto as H.B.  
No. 1022, H.D. 1, and be referred to your Committee on Judiciary &  
Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,



NICOLE E. LOWEN, Chair



