

STAND. COM. REP. NO. 3955

Honolulu, Hawaii

APR - 8 2022

RE: H.B. No. 1653
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 1653, H.D. 2, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (2) Establish a criminal fine structure on a per-specimen basis for violations involving aquatic life;
- (3) Authorize the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine; and
- (4) Authorize the Department of Land and Natural Resources to recommend certain probationary terms and conditions to the court.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Judiciary,



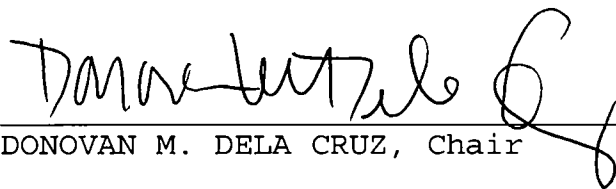
Mālama Pūpūkea-Waimea, and two individuals. Your Committees received comments on this measure from For the Fishes.

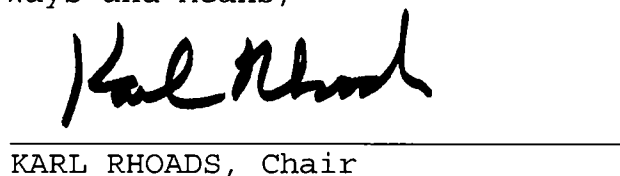
Your Committees find that in 2020, tips from the public led to the investigation and subsequent arrest of three large-scale aquarium poaching operations involving eight individuals in west Hawaii. Your Committees believe that fines must be commensurate with the sales value of these animals to serve as an adequate deterrent for aquarium poachers. This measure will assist in the conservation of Hawaii's natural resources by providing a tiered administrative fine system and an option for community service to deter aquatic resource violations.

Your Committees have amended this measure by 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1653, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1653, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



