Honolulu, Hawaii

, 2022

FEB 15

RE: H.B. No. 1988

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1988 entitled:

"A BILL FOR AN ACT RELATING TO CORAL,"

begs leave to report as follows:

The purpose of this measure is to prohibit the sale, import, or export of coral products in Hawaii, with certain exceptions.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from Maui Divers of Hawaii, Ltd.; Clean The Pacific; and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of the Attorney General, For the Fishes, Friends of Hanauma Bay, and one individual.

Your Committee finds that coral reefs form a vital part of the marine ecosystem of Hawaii and other islands and coastal areas throughout the tropics and deserve greater protection.

Your Committee has amended this measure by:

(1) Addressing constitutional concerns about the dormant commerce clause, clarifying the local interest to Hawaii in protecting coral;

- (2) Exempting coral products imported, exported, sold, or offered for sale for state-permitted harvesting and coral products expressly authorized by federal law or federal permit;
- (3) Adding a definition of "coral";
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) 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 H.B. No. 1988, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1988, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

Dav & Carner

DAVID A. TARNAS, Chair

State of Hawaii

House of Representatives
The Thirty-first Legislature

House of Representatives
The Thirty-first Legislature

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1988	Committee Referral: WAL, CPC	Date:	2/10/2022	
☐ The committee is reconsidering its p		· · · · · · · · · · · · · · · · · · ·		
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. TARNAS, David A. (C)				
2. BRANCO, Patrick Pihana (Vo	C)			Commission of the Commission o
3. GANADEN, Sonny				
			12 12 14 14 14 14 14 14 14 14 14 14 14 14 14	
4. KOBAYASHI, Bertrand				
5. KONG, Sam Satoru				
J. IXOTO, Built Butoru				
6. MORIKAWA, Dee			official value difference . The second office	
7. OHNO, Takashi				
8. McDERMOTT, Bob	mint not me form bridge many suggests the			
o. MCDERMACT 1, DOU				-
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TOTAL (8)	5			3
	Adopted	did not suppor	rt recommendatio	n.
Vice Chair's or designee's signature:	Joseph Joseph	4		
Distribution: Original (White) – Con	nnittee Duplicate (Yellow)	- Chief Clerk's Office	Duplicate (Pink) – HMSO