

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2065
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2065, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FISHING,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the possession or use of unmanned aerial vehicles in state waters for purposes of fishing.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Hawai'i Reef and Ocean Coalition, For the Fishes, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that in recent years, the innovation of unmanned aerial vehicles has become a new tool within the fishing community. Drones allow shore fishers to deploy baited hooks farther offshore and more efficiently than traditional shore fishing methods. This has resulted in increased interactions with protected species, such as monk seals and turtles, as well as increased user conflicts with boaters, swimmers, divers, surfers, kayakers, and other offshore ocean users. The use of drones has also vastly expanded the footprint of fishing-related tackle becoming debris in the ocean. This measure will help ensure that drones are used in a safe and responsible way.



Your Committee has amended this measure by:

- (1) Deleting section 1, which would have included unmanned aerial vehicles among the articles prohibited for use in state waters for purposes of fishing under section 188-23, Hawaii Revised Statutes;
- (2) Deleting section 2, which would have made fishing in state waters with an unmanned aerial vehicle a class C felony;
- (3) Adding a new section to chapter 188, Hawaii Revised Statutes, that prohibits the possession or use of unmanned aerial vehicles in state waters for the purpose of taking aquatic life, except under the terms and conditions of a permit first obtained by the user from the Department of Land and Natural Resources; provided that unmanned aerial vehicles may be used for the purpose of simple reconnaissance;
- (4) Specifying that any person who violates the prohibition against possession or use of unmanned aerial vehicles in state waters for the purpose of taking aquatic life is guilty of a misdemeanor; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2065, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2065, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2065, SDI	AEN/WTL, JDC	02-25-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)				✓
ACASIO, Laura		✓		
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt			✓	
TOTAL	4	1	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes