STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 2 7 2009

RE: H.B. No. 366

H.D. 2 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 366, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MANTA RAYS,"

begs leave to report as follows:

The purpose of this measure is to establish fines and penalties for knowingly killing or capturing manta rays within state waters.

Testimony in support of this measure was submitted by one state agency, thirteen organizations, and seventy-eight public citizens. One state agency supported the intent of the measure. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will ensure the protection of Hawaii's manta ray populations. Manta ray populations reproduce slowly, a female manta ray will take close to ten years before she has her first pup, and will contribute a single new pup only every two to three years. Around the world manta ray populations have been decimated, they are targeted for shark fin soup and controversial medicines. Due to the slow reproduction process, any taking of manta rays can affect the population for many years. Currently, there are no state laws or rules to protect Hawaii's manta ray population.

Your Committee has amended this measure by:

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- (1) Requiring that special activity permits not be issued for any take that would exceed the potential biological removal level;
- (2) Defining "potential biological removal level"; and
- (3) Amending the effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 366, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 366, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on behalf of the members of the Committee on Water, Land, Agriculture, and Hawaiian Affairs,

CLAYTON HEE, Chair

## The Senate Twenty-Fifth Legislature State of Hawaii

## Record of Votes Committee on Water, Land, Agriculture and Hawaiian Affairs WTL

Bill / Resolution No.:* HB 366, HD2	Committee Referral:		Da	Date: 3   18   69	
The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)		>	·		
TOKUDA, Jill N. (VC)		V			
BUNDA, Robert					$\vee$
FUKUNAGA, Carol		V.			
KOKUBUN, Russell S.				2.00A	<b>V</b>
TAKAMINE, Dwight Y.		V			
HEMMINGS, Fred					V
TOTAL		4	p	ø	3
Recommendation:  Not Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					