

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 366
H.D. 2
S.D. 2

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

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 366, H.D. 2, S.D. 1, 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.

This measure also:

- (1) Requires that special activity permits not be issued for any take that would exceed the potential biological removal level; and
- (2) Defines "potential biological removal level".

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 and manta rays 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.



1286

Your Committee has amended this measure by:

- (1) Requiring the Department of Land and Natural Resources to define a "take" in rules; and
- (2) Changing the effective date to July 1, 2050 to continue the discussions on this matter.

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

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 366, HD 2, SD 1	WTL, JGO	4/2/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	6	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes