STAND. COM. REP. NO. Honolulu, Hawaii bruan 5, 2013 H.B. No. 989 RE:

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs, to which was referred H.B. No. 989 entitled:

"A BILL FOR AN ACT RELATING TO FISH,"

beg leave to report as follows:

The purpose of this measure is to modify the formula for calculating the penalties for the unlawful taking of aquarium fish or specimen of aquatic life.

Specifically, the measure would require multiplying each separate species unlawfully taken by the quantity of that species taken, and then assessing a fine based on the species of fish or aquatic life.

Testimony in support of this measure was submitted the Pet Industry Joint Advisory Council, Sustainable Aquarium Industry Association, Quality Marine, Coral Fish Hawaii, and eight individuals. Written comments were submitted by the Department of Land and Natural Resources.

Your Committees find that, currently, the penalties for the unlawful taking of aquarium fish or aquatic life are based upon the number of species of aquarium fish or aquatic life unlawfully taken and do not take into account the actual quantity of aquarium fish or aquatic life unlawfully taken. Therefore, a fisher who unlawfully takes many specimen of the same species of aquatic life is only penalized for one violation. Your Committees also find that, by counting each specimen of fish or aquatic life unlawfully



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taken as a violation, fishers that practice irresponsible and illegal collection of marine life will be penalized in proportion to their violation and thus will have an incentive to adhere to the regulations. Your Committee also finds that there is a need to deter irresponsible fishing and that stricter regulations are needed to responsibly manage stocks of marine life in the State.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 989 and recommend that it pass Second Reading and be referred to the Committee on Finance.

> Respectfully submitted on behalf of the members of the Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs,

Kvans



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## Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 989 Committee Referral: WAL/UMH, FIN Date: 2/1/13						
The committee is reconsidering its previous decision on the measure.						
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. EVANS, Cindy (C)						
2. LOWEN, Nicole E. (VC)						
3. COFFMAN, Denny						
4. CULLEN, Ty J.K.						
5. HANOHANO, Faye P.						
6. KAWAKAMI, Derek S.K.						
7. LEE, Chris						
8. FALE, Richard Lee						
9. THIELEN, Cynthia						
TOTAL (9)	9	$\varphi$	Ø	Ø		
The recommendation is: Adopted If joint referral, did not support recommendation.						
Vice Chair's or designee's signature: MULO E						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						

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## Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date:	Date:			
H8989	WALLOMHOFIN 2-1-ZUIZ					
The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold   Image: Pass short form bill with HD to recommit for future public hearing (recommit)						
OMH Members	Ayes	Ayes (WR)	Nays	Excused		
1. HANOHANO, Faye P. (C)			_			
2. CULLEN, Ty J.K. (VC)						
3. COFFMAN, Denny						
4 EVANC Circle						
4. EVANS, Cindy						
5. KAWAKAMI, Derek S.K.						
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6. LEE, Chris						
7. LOWEN, Nicole E.						
8. FALE, Richard Lee						
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TOTAL (8)	×	Ø	Ø	X		
The recommendation is: Adopted If joint referral, did not support recommendation.						
Vice Chair's or designee's signature:						
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