STAND. COM. REP. NO. 2346

Honolulu, Hawaii FEB 18 2016 RE: S.B. No. 2642 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committees on Water, Land, and Agriculture and Judiciary and Labor, to which was referred S.B. No. 2642 entitled:

"A BILL FOR AN ACT RELATING TO SHARK AND RAY PROTECTION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish fines and penalties for knowingly capturing, killing, or taking a shark within state waters; and
- (3) Expand the existing prohibition on knowingly capturing or killing a manta ray to all rays.

Your Committees received testimony in support of this measure from the Humane Society of the United States, Animal Rights Hawaii, West Hawaii Humane Society, Conservation Council for Hawai'i, Defenders of Wildlife, and thirty-seven individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that sharks and rays are extremely important to ocean ecosystems because they keep the ecosystem balanced, regulate populations of other marine life, and ensure healthy fish stock and reefs. Your Committees further find that in 2010, Hawaii became the first state in the nation to enact a prohibition on the sale of shark fins and fin products; however, the law does not prohibit the taking of whole live sharks in state



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waters. Your Committees find that this loophole must be closed and manta ray protections must be expanded to include all rays.

Your Committees have amended this measure by:

- Amending the term "shark" to mean any species of shark within the subclass *Elasmobranchii*;
- (2) Amending the term "ray" to mean any species of ray within the subclass *Elasmobranchii*;
- (3) Inserting a severability clause; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Agriculture and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2642, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2642, S.D. 1, and be referred to your Committee on Ways and Means.

> Respectfully submitted on behalf of the members of the Committees on Water, Land, and Agriculture and Judiciary and Labor,

GILBERT S.C. KEITH-AGARAN, Chair 🕔

MIKE GABBARD. Chair



## The Senate Twenty-Eighth Legislature State of Hawai'i

## Record of Votes Committee on Water, Land, and Agriculture WLA

Bill / Resolution No.:*	Committee Referral:			Date:					
SB2642	WLAIJOL, WAM			2/10/16					
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended V Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (W	/R) N	Vay	Excused			
GABBARD, Mike (C)		V							
NISHIHARA, Clarence K. (VC)		$\checkmark$							
DELA CRUZ, Donovan M.		V							
RIVIERE, Gil									
RUDERMAN, Russell E.					-	V			
SHIMABUKURO, Maile S.L.		V							
THIELEN, Laura H.		~							
WAKAI, Glenn						V			
SLOM, Sam						V			
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TOTAL	i	G				3			
Recommendation:									
Chair's or Designee's Signature: Unence & Sishihar									
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy									

\*Only one measure per Record of Votes

## The Senate Twenty-Eighth Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: Date: /								
SB 2642	WLA/JDL, WAM 2/11/16								
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				
KEITH-AGARAN, Gilbert S.C. (C)		/							
SHIMABUKURO, Maile S.L. (VC)		/							
GABBARD, Mike		/							
KIM, Donna Mercado		$\sim$							
THIELEN, Laura H.		/	•						
SLOM, Sam									
TOTAL	/	5							
Recommendation:									
Chair's or Designee's Signature:									
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Distribution: Original File with Committee Re	Yellow Pink Goldenrod eport Clerk's Office Drafting Agency Committee File Copy								

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