

STAND. COM. REP. NO.

3315

Honolulu, Hawaii

MAR 28 2018

RE: S.C.R. No. 123
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Water and Land and Agriculture and
Environment, to which was referred S.C.R. No. 123 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND
AND NATURAL RESOURCES TO PROHIBIT INDIVIDUALS FROM
APPROACHING WITHIN FIFTY FEET OF A HAWAIIAN MONK SEAL EXCEPT
WHEN PROVIDING AID TO THE HAWAIIAN MONK SEAL,"

beg leave to report as follows:

The purpose and intent of this measure is to urge the
Department of Land and Natural Resources to prohibit individuals
from approaching within fifty feet of a Hawaiian monk seal, except
for a licensed professional who is qualified to provide aid to the
Hawaiian monk seal.

Your Committees received testimony in support of this measure
from the O'ahu County Committee on Legislative Priorities of the
Democratic Party of Hawai'i, Animal Rights Hawai'i, West Hawaii
Humane Society, For the Fishes, Keiko Conservation, and seven
individuals. Your Committees received testimony in opposition to
this measure from one individual. Your Committees received
comments on this measure from the Department of Land and Natural
Resources.

Your Committees find that the Hawaiian monk seal is one of
the world's most critically endangered species of marine mammal.
The National Oceanic and Atmospheric Administration has reported



that a number of habituated seals have become a serious safety risk to humans, or suffered injuries as a result of human infringement and interaction. This measure provides protection for Hawaiian monk seals from human interaction.

Your Committees note that the Department of Land and Natural Resources works with the National Oceanic and Atmospheric Administration, pursuant to a Joint Enforcement Agreement, to enforce federal laws that prohibit the harassment of Hawaiian monk seals and federal marine wildlife viewing guidelines that recommend remaining at least fifty yards away. Thus, the National Oceanic and Atmospheric Administration is the primary agency responsible for establishing regulations and guidelines to protect Hawaiian monk seals and prevent harmful interaction by humans.

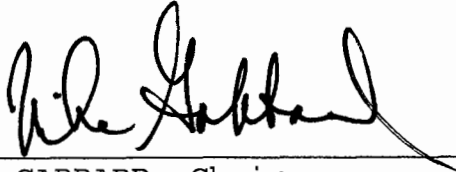
Accordingly, your Committees have amended this measure by:

- (1) Adopting the recommendation made by the Department of Land and Natural Resources to urge the National Oceanic and Atmospheric Administration, rather than the Department, to prohibit individuals from approaching within fifty feet of a Hawaiian monk seal;
- (2) Amending its title accordingly;
- (3) Adding the Assistant Secretary of Commerce for Oceans and Atmosphere for the Department of Commerce in the National Oceanic and Atmospheric Administration as a recipient; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

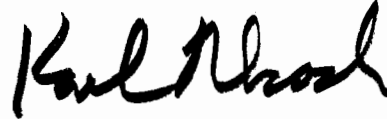
As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 123, as amended herein, and recommend that it be referred to your Committee on Judiciary, in the form attached hereto as S.C.R. No. 123, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Agriculture and
Environment,



MIKE GABBARD, Chair



KARL RHOADS, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* <div style="text-align: center; font-size: 1.2em; font-weight: bold;">SCR 123</div>	Committee Referral: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">WTL/AEN, JDC</div>	Date: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">3/23/18</div>		
<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; align-items: flex-start;"> <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
RHOADS, Karl (C)	/			
GABBARD, Mike (VC)	/			
INOUE, Lorraine R.				/
RIVIERE, Gil	/			
THIELEN, Laura H.	/			
TOTAL	4	—	—	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <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; font-size: 0.8em; margin-top: 5px;"> <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

Record of Votes
Committee on Agriculture and Environment
AEN

*Only one measure per Record of Votes