

Honolulu, Hawaii

APR 23 , 2021

RE: H.B. No. 553  
H.D. 2  
S.D. 2  
C.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 553, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE PROTECTION OF SHARKS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to protect sharks while not criminalizing the accidental capture and release of sharks that may be captured while fishing for other species as allowed by statute or rule by:

- (1) Establishing an offense of intentionally or knowingly capturing, entangling, or killing a shark in state marine waters and providing for criminal and civil penalties and administrative fines, fees, and costs;



- (2) Providing for certain exemptions to the offense of intentionally or knowingly capturing, entangling, or killing a shark in state marine waters; and
- (3) Allowing the Department of Land and Natural Resources to adopt rules to, at minimum:
  - (A) Ensure that the incidental capture and release of sharks while targeting other species is not a violation;
  - (B) Prevent the wanton waste of sharks; and
  - (C) Limit gear, such as gill nets, in areas identified as shark nursery habitats.

Your Committee on Conference has amended this measure by:

- (1) Exempting a person who captures or kills a shark pursuant to a permit issued by the Department of Land and Natural Resources from the criminal and civil penalties and administrative fines, fees, and costs established;
- (2) Authorizing the Department of Land and Natural Resources to issue a non-commercial permit for the take of sharks, subject to permit conditions that include Native Hawaiian cultural protocol, size and species restrictions, and a prohibition on species designated as endangered or threatened; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

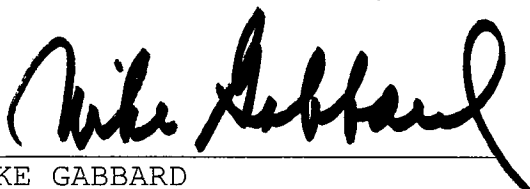
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 553, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 553, H.D. 2, S.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



MIKE GABBARD  
Chair



DAVID A. TARNAS  
Co-Chair



LORRAINE R. INOUE  
Co-Chair



NICOLE E. LOWEN  
Co-Chair



KARL RHOADS  
Co-Chair



TY J.K. CULLEN  
Co-Chair



J. KALANI ENGLISH  
Co-Chair



