STAND. COM. REP. NO. 3955

Honolulu, Hawaii

APR - 8 2022

RE: H.B. No. 1653

> H.D, 2 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 1653, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (2) Establish a criminal fine structure on a per-specimen basis for violations involving aquatic life;
- Authorize the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine; and
- Authorize the Department of Land and Natural Resources to recommend certain probationary terms and conditions to the court.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Judiciary,

Mālama Pūpūkea-Waimea, and two individuals. Your Committees received comments on this measure from For the Fishes.

Your Committees find that in 2020, tips from the public led to the investigation and subsequent arrest of three large-scale aquarium poaching operations involving eight individuals in west Hawaii. Your Committees believe that fines must be commensurate with the sales value of these animals to serve as an adequate deterrent for aquarium poachers. This measure will assist in the conservation of Hawaii's natural resources by providing a tiered administrative fine system and an option for community service to deter aquatic resource violations.

Your Committees have amended this measure by 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1653, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1653, H.D. 2, S.D. 2.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Ways and Means,

DONOVAN M. DELA CRUZ, Chair

KARL RHOADS, Chair

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee	Committee Referral:			Date:				
HB 1653, HD2, SD1	WTL, JOC/WAM 04-08-22				-22				
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 (WF	R) Nay	Excused				
RHOADS, Karl (C)									
KEOHOKALOLE, Jarrett (VC)									
ACASIO, Laura									
GABBARD, Mike									
KIM, Donna Mercado									
LEE, Chris									
FEVELLA, Kurt	<u> </u>								
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Recommendation: Adopted			Not Adopted						
Chair's or Designee's Signature:									
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*Only one measure per Record of Votes

The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee Referral: Date:							
HB 1653, HD2, SDI WTL, JDC/WAH 4/8/22								
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			
DELA CRUZ, Donovan M. (C)		><						
KEITH-AGARAN, Gilbert S.C. (VC)								
INOUYE, Lorraine R.					$\overline{}$			
KANUHA, Dru Mamo								
KIDANI, Michelle N.								
MISALUCHA, Bennette E.								
MORIWAKI, Sharon Y.								
SHIMABUKURO, Maile S.L.		><						
TANIGUCHI, Brian T.		\searrow						
WAKAI, Glenn		>						
FEVELLA, Kurt								
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TOTAL		10			1			
Recommendation: Adopted Not Adopted								
Chair's or Designee's Signature:								
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