

STAND. COM. REP. NO. 713

Honolulu, Hawaii

**FEB 17** , 2023

RE: H.B. No. 758

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 758 entitled:

"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY FISHING PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources to issue special activity permits for the purpose of recognizing and protecting individuals exercising their Native Hawaiian traditional and customary rights.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Center for Hawaiian Sovereignty Studies, and one individual.

Your Committee finds that despite the protections afforded by article XII, section 7, of the Hawaii State Constitution, individuals who choose to exercise their rights to gather aquatic resources in ways that contravene state fishing laws are subjected to the risk of civil and criminal citation and arrest before being afforded an opportunity to confirm their traditional and customary rights. Allowing for permits to be issued by the Department of Land and Natural Resources for the purpose of exercising

2023-1483 HB758 HD1 HSCR HMSO



traditional and customary fishing practices would provide a less burdensome avenue for individuals to lawfully exercise traditional and customary fishing practices.

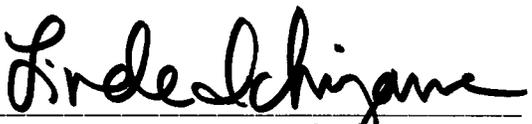
Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary and Hawaiian Affairs, should it deliberate on this measure, to consider the concerns raised by the Office of Hawaiian Affairs and Hawaii State Aha Moku in their written testimony.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 758, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 758, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
LINDA ICHIYAMA, Chair



