

STAND. COM. REP. NO. **3365**

Honolulu, Hawaii

MAR 30 2026

RE: H.B. No. 2101
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committees on Water, Land, Culture and the Arts and Hawaiian Affairs, to which was referred H.B. No. 2101, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL AQUARIUM COLLECTION,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit the harvest of aquatic life for commercial aquarium purposes, regardless of the method of collection, in counties with a population greater than two hundred thousand and less than three hundred thousand.

Your Committees received testimony in support of this measure from three members of the Hawaii County Council; Moana 'Ohana; Kai Kuleana; Earthjustice; Ho'āla Kealakekua Nui, Inc.; Tunningley Marine; Ko'olaupoko Hawaiian Civic Club; HULI PAC; Kona-Kohala Chamber of Commerce; Center for Biological Diversity; 'A'ole AQ Hui; Friends of Hanauma Bay; Sierra Club of Hawai'i; Pono Advocacy; Kalanihale; Sierra Club Hawai'i Island Group; Animal Rights Hawai'i; Big Island Reef Keepers Hui; Kihei Community Association; Ka Ohana O Na Pua; Kona Indivisible; Big Island Aviation, LLC; Hawaii Marine Education and Research Center; Kūpuna for the Mo'opana; Fair Wind Cruises; Kua'āina Ulu 'Auamo; Free Access Coalition; Marine Genetics LLC; Association of Hawaiian Civic



Clubs; Environmental Caucus of the Democratic Party of Hawai'i; Hui Hoomalu i ka Aina; Puakō for Reefs; South Kohala Reef Alliance; Hawai'i Reef Ocean Coalition; FreediveSafe! Hawai'i; Shimanchu Mamuyaa; Hui Maka'āinana o Makana; Hawaii Organization for Progress and Equity; Biota Group; Surfrider Foundation, Hawai'i Region; Hawai'i Ocean Legislative Task Force; Sea Paradise; Ko'olauloa Hawaiian Civic Club; Chamber of Sustainable Commerce; The Nature Conservancy, Hawai'i and Palmyra; Hawaiian Humane Society; Conservation Council for Hawai'i; Kia'i Kanaloa; Activities and Attractions Association of Hawai'i; and numerous individuals.

Your Committees received testimony in opposition to this measure from the Native Hawaiian Gathering Rights Association, Hawaii Tropical Fish, Hawaii Island Association of Aquarium Fishermen, and numerous individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources, one member of the Maui County Council, Kauwamakaainanakahunaalii, and two individuals.

Your Committees find that many species of herbivorous fish that are collected in the State for commercial aquariums have historically been caught for subsistence and cultural purposes and remain critical for the preservation and resiliency of state coral reefs against the effects of climate change. Though commercial aquarium fish collection is currently allowed by the State, the 1953 legislation enacted to permit commercial aquarium fish collection was based on the misunderstanding that these species were not suitable for subsistence and was codified before the scientific community reached consensus on the issues of climate change. Your Committees believe that extending prohibitions on the commercial collection and sale of reef wildlife is now necessary to protect the State's natural resources. This measure will align with Native Hawaiian values and the duties incumbent on the State under the Hawaii State Constitution by preserving the State's invaluable coastal ecosystems for the present and future generations.

Your Committees recognize that, whereas the County of Hawaii has begun the planning process involved with the Holomua Marine Initiative, the City and County of Honolulu has yet to begin the planning process. Consequently, your Committees find that applying the prohibition on commercial aquarium fish collection to



the City and County of Honolulu until the Holomua Marine Initiative planning process is complete in the county will allow the Department of Land and Natural Resources sufficient time to develop a strategy for and take action on commercial aquarium fish collection. Amendments to this measure are therefore necessary to reflect this change.

Accordingly, your Committees have amended this measure by:


- (1) Clarifying that no person shall harvest aquatic life from state marine waters for commercial aquarium purposes in counties with a population greater than five hundred thousand, instead of greater than two hundred thousand and less than three hundred thousand;
- (2) Inserting language prohibiting the Department of Land and Natural Resources from considering to promulgate rules or issue permits for the harvest of aquatic life from state marine waters for commercial aquarium purposes until the Department has promulgated rules pursuant to the Holomua Marine Initiative and chapter 91, Hawaii Revised Statutes, for counties with a population greater than five hundred thousand;
- (3) Sunsetting the measure upon the promulgation of rules pursuant to the Holomua Marine Initiative and chapter 91, Hawaii Revised Statutes, by the Department of Land and Natural Resources for counties with a population greater than five hundred thousand;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency

Your Committees additionally note the desire to revisit the issue addressed by this measure prior to the convening of the Regular Session of 2027 to ensure the process of the Holomua Marine Initiative has been implemented in the County of Hawaii and has begun implementation in the County of Maui. Furthermore, your Committees note the concerns expressed in testimony regarding the impact of aquaculture to the Holomua Marine Initiative and confirm that aquaculture has no impact on the Initiative.



As affirmed by the records of votes of the members of your Committees on Water, Land, Culture and the Arts and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2101, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2101, H.D. 1, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land,
Culture and the Arts and
Hawaiian Affairs,


HERBERT M. RICHARDS, III, Chair


CHRIS LEE, Chair



