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# A BILL FOR AN ACT

RELATING TO MARINE RESOURCES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the fish marine  
2 resources of the state of Hawaii are declining. The  
3 replenishment and preservation of these resources are vital to  
4 the economic, cultural, environmental, health, and social well-  
5 being of the state's residents, visitors, and future  
6 generations, in addition to global biodiversity.

7           The legislature also finds that the decline in size,  
8 number, distribution, diversity, and quality of important and  
9 desirable marine species and habitats may be reversed by  
10 implementing a number of marine management tools, including  
11 marine managed areas, increased enforcement of existing fishing  
12 laws, fishing licenses, bag limits, slotting, netting  
13 limitations, fish propagating programs, invasive species control  
14 and eradication, fish aggregating devices, additional artificial  
15 reefs, and prevention of resource pollution from run-offs.

16           During the 2005 regular session, the legislature adopted  
17 H.C.R. No. 267, H.D. 1, authorizing the house committee on  
18 water, land, and ocean resources and the senate committee on



1 water, land, and agriculture, together with the department of  
2 land and natural resources, to meet marine resource stakeholders  
3 on all islands to discuss the problem of Hawaii's depleting  
4 marine resources and the need to adopt measures that would  
5 ensure the viability of the resources for present and future  
6 generations. The statewide meetings focused on marine managed  
7 areas as the management tool of choice for the department of  
8 land and natural resources and other stakeholders, including  
9 environmentalists. "Marine managed area" means any area of the  
10 marine environment established by law or rules that encompasses  
11 defined management objectives, including protection of  
12 geological, cultural, or natural resources, or that reduces  
13 conflicts between user groups. Other stakeholders, such as the  
14 fishing community, vehemently opposed the establishment of  
15 additional marine managed areas, to such an extent that they  
16 raised serious questions regarding the basis and effectiveness  
17 of marine managed areas.

18 The legislature finds that current enforcement of state  
19 fishing laws is ineffective. Both proponents and opponents of  
20 establishing additional marine managed areas expressed a  
21 complete lack of faith in the State's ability to enforce its  
22 fishing laws. The link between ineffective enforcement of the  
23 fishing laws and the declining status of our marine resources



1 cannot be avoided and mandates that the enforcement capability  
2 of the department of land and natural resources be enhanced.

3 The purpose of this Act is to require the department of  
4 land and natural resources to:

- 5 (1) Assess the effectiveness of no-take marine managed  
6 areas; and
- 7 (2) Assess, prioritize, and implement effective measures  
8 and programs to increase Hawaii's fish population now  
9 and in the future; and
- 10 (3) Hire additional personnel to enforce the State's  
11 fishing laws.

12 SECTION 2. The department of land and natural resources  
13 shall:

- 14 (1) Assess the effectiveness of the existing no-take  
15 marine managed areas and de facto no-take areas; and
- 16 (2) Assess, prioritize, and implement effective measures  
17 and programs to increase Hawaii's fish population now  
18 and in the future.

19 The department of land and natural resources in assessing  
20 the various marine management tools, through a variety of  
21 methods, shall seek the assistance and input of all  
22 stakeholders, including the fishing community. It is the intent  
23 of this Act that the means to sustain and enhance the State's



1 marine resources be in balance with the economic, social, and  
2 traditional practice needs of the stakeholders.

3 SECTION 3. The department of land and natural resources  
4 shall submit an interim report to the legislature no later than  
5 twenty days before the convening of the regular session of 2007  
6 and a final report of its findings and recommendations,  
7 including proposed legislation, to the legislature no later than  
8 twenty days before the convening of the regular session of 2008.  
9 The reports shall provide:

- 10 (1) An analysis of the impacts and benefits of its  
11 recommendations;
- 12 (2) A record of the stakeholders' assistance and input;  
13 and
- 14 (3) The supporting rationale and data for the  
15 recommendations being proposed.

16 SECTION 4. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so much  
18 thereof as may be necessary for fiscal year 2006-2007 for the  
19 assessment, prioritization, and implementation of effective  
20 measures and programs to increase Hawaii's fish population now  
21 and in the future; provided that:



1 (1) The measures and programs shall be implemented  
2 following a process of assessment and prioritization;  
3 and

4 (2) Any unexpended or unencumbered funds at the close of  
5 fiscal year 2006-2007 may be expended or encumbered  
6 during fiscal year 2007-2008 and shall not lapse until  
7 June 30, 2008.

8 The sum appropriated shall be expended by the department of  
9 land and natural resources for the purposes of this Act.

10 SECTION 5. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so much  
12 thereof as may be necessary for fiscal year 2006-2007 to provide  
13 additional positions to assist in the enforcement of the  
14 State's fishing laws.

15 The sum appropriated shall be expended by the department of  
16 land and natural resources for the purposes of this Act.

17 SECTION 6. This Act shall take effect on July 1, 2006.



*H.B. 2587 H.D. 1*

**Report Title:**

Marine Resources; Assessment; Enforcement; Funding

**Description:**

Requires the Department of Land and Natural Resources (DLNR) to assess for effectiveness and implement the various marine management tools to address the depleting marine resources of the State. Appropriates funds for the assessment and implementation and additional DLNR enforcement personnel.  
(HB2587 HD1)

