

STAND. COM. REP. NO.

1197

Honolulu, Hawaii

March, 2007

RE: H.B. No. 1848  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1848, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to balance the public's fishing area needs with the need to conserve the state's aquatic resources by:

- (1) Requiring the Department of Land and Natural Resources (DLNR) to discuss with communities, demonstrate a peer-reviewed scientific need, and rule out other conservation measures and enforcement of existing regulations, prior to adopting any new fishing prohibitions or limitations, and to make all new closed area regulations temporary;
- (2) Establishing the Hawaii Fishery Policy Advisory Task Force (Task Force) to identify and recommend to the 2008 Legislature, revisions to the rule-making process regarding fisheries to improve the incorporation of public participation and peer-reviewed science in the process; and
- (3) Appropriating funds for the Task Force.

HB1848 HD2 HSCR FIN HMS 2007-2924



The Association of Hawaiian Civic Clubs, Princess Kaiulani Hawaiian Civic Club, Maunaloa Hawaii Civic Club, Hawaii Kai Boat Club, Pacific Islands Fisheries Group, Hawaii Nearshore Fishermen, Kakaako Casting Club, and a large number of concerned individuals testified in support of this bill. DLNR, Ocean Law & Policy Institute of the Pacific Forum CSIS, Malama Mauanalua, Hawaii Wildlife Fund, Malama Hawaii, Snorkel Bob's Hawaii, Hui Hoomalu I Ka Aina, Hawaii Audubon Society, Sierra Club-Hawaii Chapter, Community Conservation Network, Waikahaolu Chapter of Trout Unlimited, Hawaii, Oceanic Institute, The Nature Conservancy of Hawaii, Northwestern Hawaiian Islands hui, and a large number of concerned individuals opposed this measure.

Your Committee has amended this bill by:


- (1) Requiring fishery management measures to be based on best available science, instead of peer-reviewed science;
- (2) Deleting historic and current historic fishing efforts and historic extraction rates as specific measurable criteria for determining the conservation benefit of a closed area on the affected stocks of fish;
- (3) Changing the time after which an extinguished closed area restriction may be reimposed to an unspecified amount of time;
- (4) Changing the make up of the Task Force to:
  - (A) Include:
    - (i) Two members to be designated by the Aha Moku Councils;
    - (ii) One member to be designated by the National Oceanic and Atmospheric Administration;
    - (iii) One member to be designated by the Nature Conservancy of Hawaii;
    - (iv) One member to be designated by the Hawaii Audubon Society; and
  - (B) Remove the five members appointed by the Governor;



- (5) Extending the existence of the Task Force to June 30, 2009;
- (6) Inserting an appropriation for fiscal year 2008-2009, in addition to the appropriation for fiscal year 2007-2008, for the Task Force to carry out its responsibilities; and
- (7) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1848, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1848, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,



---

MARCUS R. OSHIRO, Chair



