
A BILL FOR AN ACT

RELATING TO AQUATIC RESOURCES.

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

1 SECTION 1. The legislature finds that over the past ten
2 years, the department of land and natural resources has adopted
3 rules concerning the protection and propagation of introduced
4 and transplanted aquatic life, and the conservation and
5 allocation of the natural supply of aquatic life that have
6 greatly diminished the public's ability to use Hawaii's aquatic
7 resources. In some instances, the public has criticized the
8 department of land and natural resources for setting bottom fish
9 area closures, shoreline access boundaries, and other fishing
10 restrictions in an arbitrary manner without scientific evidence
11 to support the department of land and natural resource's
12 position.

13 The legislature further finds that the responsibility of
14 protecting our limited natural resources must be balanced with
15 the equally important responsibility of ensuring the public's
16 reasonable use of these resources.

17 The purpose of this Act is to better understand the impacts
18 of aquatic resource and fishing rules in Hawaii by requiring the



1 department of land and natural resources to review the effects
2 of its rules, including its lay gill net and bottomfish
3 management rules, and to determine whether the rules are
4 achieving their intended purposes, the anticipated timeframe for
5 achieving the intended purposes, the effect on the resource,
6 general public, and resource users.

7 SECTION 2. (a) The department of land and natural
8 resources shall:

9 (1) Review each rule adopted after January 1, 2008,
10 pursuant to chapters 187A and 188, Hawaii Revised
11 Statutes, concerning the protection and propagation of
12 introduced and transplanted aquatic life or the
13 conservation and allocation of the natural supply of
14 aquatic life in any area, including rules that
15 establish size limits, bag limits, open and closed
16 fishing seasons, specifications and numbers of fishing
17 or taking gear that may be possessed, or that restrict
18 public access to the natural supply of aquatic life,
19 including the effects of its bottomfish management
20 rules and its lay gill net rules;

21 (2) Determine whether each rule is achieving its intended
22 purpose;



1 (3) Estimate the timeframe necessary for each rule to
2 achieve its intended purpose;

3 (4) Determine the effects of each rule on the health of
4 the resource; and

5 (5) Determine the effects of each rule on the general
6 public and user groups.

7 (b) The department of land and natural resources shall
8 submit a report, including an analysis of whether the rules are
9 achieving their intended purposes, when they might achieve their
10 intended purposes, and the impact of the rules on the resource,
11 public, and user groups, to the legislature no later than twenty
12 days prior to the convening of the 2009 regular session, and
13 every five years thereafter. The department of land and natural
14 resources may include the report as part of its annual report to
15 the legislature.

16 SECTION 3. 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 2008-2009 for the
19 purposes of this Act.

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



1 SECTION 4. This Act shall take effect upon its approval
2 and shall be repealed on December 31, 2020; provided that
3 section 3 shall take effect on July 1, 2008.



Report Title:

Fishing Rights and Regulations

Description:

Requires the department of land and natural resources to: review each rule adopted after 01/1/08, concerning the protection and propagation of certain aquatic life or the conservation and allocation of the natural supply of aquatic life; determine whether the rule is achieving its intended purpose; and submit a report. Sunsets on 12/31/20. (HB2687 HD1)

