
A BILL FOR AN ACT

RELATING TO BOTTOMFISH.

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

1 SECTION 1. The legislature finds that in the late 1990s,
2 the federal government determined that certain bottomfish were
3 being overfished around the main Hawaiian islands. In response
4 to that determination, the department of land and natural
5 resources adopted bottomfish restricted fishing areas and
6 various administrative rules to protect bottomfish from being
7 overfished. In 2007, the department of land and natural
8 resources reduced the number of bottomfish restricted fishing
9 areas, but increased the spatial area covered by bottomfish
10 restricted fishing areas.

11 The legislature further finds that the bottomfish that are
12 subject to fishing regulations in Hawaii Administrative Rules
13 are no longer being overfished, and that the department of land
14 and natural resources has not established a validated scientific
15 basis upon which to continue restricting the fishing of
16 bottomfish.



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1 The purpose of this Act is to ensure that regulations on
2 the fishing of bottomfish are supported by scientific evidence.

3 SECTION 2. Chapter 187A, Hawaii Revised Statutes, is
4 amended by adding a new section to part I. be appropriately
5 designated and to read as follows:

6 "§187A- Bottomfish; rules. (a) Any rule adopted by
7 the department pursuant to this chapter that restricts the
8 fishing of bottomfish shall include citation to peer-reviewed
9 scientific evidence that establishes the environmental necessity
10 of the rule.

11 (b) Any rule that does not comply with this section shall
12 be void.

13 (c) In the absence of a rule adopted by the department
14 restricting the fishing of bottomfish, federal guidelines
15 regarding annual catch limits of bottomfish shall be enforced.

16 (d) As used in this section, "bottomfish" means the
17 following species:

18 (1) Ulaula koae, ruby or longtail snapper, or onaga
19 (Etelis coruscans);

20 (2) Ulaula or ehu (Etelis carbunculus);

21 (3) Kalekale (Pristipomoides sieboldii);



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- 1 (4) Opakapaka (Pristipomoides filamentosus);
- 2 (5) Ukikiki or gindai (Pristipomoides zonatus);
- 3 (6) Hapuu, hapuupuu, or Hawaiian grouper (Epinephelus
- 4 quernus); and
- 5 (7) Lehi or rusty jobfish (Aphareus rutilans)."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8

INTRODUCED BY: _____

JAN 23 2017



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Report Title:

DLNR; Bottomfish; Administrative Rules

Description:

Requires any rule adopted by DLNR that restricts the fishing of bottomfish to include peer-reviewed scientific evidence that establishes the environmental necessity of the rule.

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