H.B. NO. 3175

A BILL FOR AN ACT

RELATING TO COMMERCIAL MARINE FISHING REPORTS.

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

SECTION 1. The federal government currently relies upon the State's fisheries reporting system and the resultant data for the management of fisheries in state and federal marine waters. Because of a declared decline in bottomfish fishery due to overfishing, the federal government recently voiced the need for the State to better monitor bottomfish catches. In an effort to address these issues, the federal government proposes to reduce overall take to a specified annual total catch, and then to more closely monitor fishing by requiring reporting by trips, rather than reports solely based on monthly catch.

The department of land and natural resources (department) has agreed to assist and cooperate because it involves a fishery with shared jurisdiction, and agrees with the reporting requirement. Should the department agree to alter its requirement on fishers to report by trip, the current reporting frequency by month would have to change. The overall authority wording in section 189-3, Hawaii Revised Statutes, is sufficient

for this purpose, but the section's title, which presently references "monthly catch", should be amended to accommodate a more flexible approach.

The purpose of this Act is to amend the title of section 189-3, Hawaii Revised Statutes, to more accurately reflect the need for flexibility in reporting requirements.

SECTION 2. Section 189-3, Hawaii Revised Statutes, is amended by amending the title to read:

"**§189-3 [~~Monthly catch report.~~] Commercial marine fishing reports.**"

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

INTRODUCED BY: Calvin K Y Say

BY REQUEST

JAN 22 2008

Report Title:
Commercial Marine Fishing Reports

Description:
Amend the title of section 189-3, Hawaii Revised Statutes, from "monthly catch" to "commercial marine fishing reports" to more accurately reflect that reports will be filed on a "per catch" basis.

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JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS.

PURPOSE: To amend the title of section 189-3, Hawaii Revised Statutes (HRS), to more accurately reflect the need for flexibility in reporting requirements.

MEANS: Amend the title of section 189-3, HRS.

JUSTIFICATION: The Federal Government currently relies upon the State's fisheries reporting system and the resultant data for the management of fisheries in state and federal marine waters. Because of a declared decline in bottomfish fishery due to overfishing, the Federal Government recently voiced the need for the State to better monitor bottomfish catches. In an effort to address these issues, the Federal Government proposes to reduce overall take to a specified annual total catch, and then to more closely monitor fishing by requiring reporting by trips, rather than reports solely based on monthly catch. The Department has agreed to assist and cooperate because it involves a fishery with shared jurisdiction, and agrees with the reporting requirement. Should the Department agree to alter its requirement on commercial fishers to report by trip, the current reporting frequency by month would have to change. The overall authority language in section 189-3, HRS, is sufficient for this purpose, however the section's title which presently references "monthly catch" would need to be amended to accommodate a more flexible approach.

Impact on the public: The commercial fishers may be imposed a more frequent reporting

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requirement in an effort to reduce the fishery's decline or overfishing.

Impact on the department and other agencies: The Department would be in possession of more frequent data in an effort to better manage fisheries.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: LNR 153 and 805.

OTHER AFFECTED AGENCIES: National Marine Fisheries Service, Western Pacific Fisheries Management Council.

EFFECTIVE DATE: Upon approval.