H.B. NO. ³¹⁷⁵ H.D. 1 S.D. 1

C.D. 1

A BILL FOR AN ACT

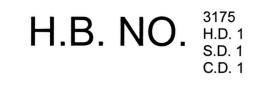
RELATING TO COMMERCIAL MARINE FISHING REPORTS.

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

SECTION 1. The federal government currently relies upon 1 the State's fisheries reporting system and the resultant data 2 for the management of fisheries in state and federal marine 3 4 waters. Because of a declared decline in the bottomfish fishery 5 due to overfishing, the federal government recently voiced the need for the State to better monitor bottomfish catches. 6 In an effort to address these issues, the federal government proposes 7 8 to reduce overall take to a specified annual total catch and then to monitor fishing more closely by requiring reporting by 9 10 trips, rather than reports solely based on monthly catch.

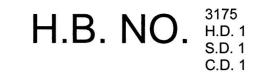
11 The department of land and natural resources (department)
12 has agreed to assist and cooperate because it involves a fishery
13 with shared jurisdiction and agrees with the reporting
14 requirement.

15 The purpose of this Act is to create a new section within 16 chapter 189, Hawaii Revised Statutes, providing that where there 17 is shared state and federal jurisdiction over a fishery, except 18 the Papahanaumokuakea Marine National Monument, that the HB3175 CD1 HMS 2008-4050



1 department shall adopt rules to effectuate the federal 2 requirements. SECTION 2. Chapter 189, Hawaii Revised Statutes, is 3 4 amended by adding a new section to be appropriately designated 5 and to read as follows: 6 "§189- Catch report; shared jurisdiction of fisheries. 7 (a) Where there is a shared jurisdiction between the state and 8 federal government over a fishery, the department shall adopt rules necessary to effectuate the federal requirements. 9 10 (b) Any information submitted to the department by any 11 person in compliance with any requirement under this section 12 shall be confidential and shall not be disclosed, except when 13 required under court order or pursuant to subpoena issued by the 14 department of the attorney general, or with the prior written 15 consent of the person who submitted the information, or under 16 cooperative agreements with government agencies of the United 17 States for exchange and use of the information specifically to 18 manage marine life. The department, by rule, may establish 19 procedures necessary to preserve the confidentiality, except 20 that the department may release or make public any information in the aggregate or summary form which does not directly or 21





3

1	indirectly disclose the identity of any person who submits
2	information.
3	(c) This section shall not apply to the Papahanaumokuakea
4	Marine National Monument."
5	SECTION 3. New statutory material is underscored.
6	SECTION 4. This Act shall take effect on July 1, 2008.



H.B. NO. 3175 H.D. 1 S.D. 1 C.D. 1

Report Title:

Commercial Marine Fishing Reports

Description:

Requires DLNR to adopt rules to effect federal requirements for fisheries where jurisdiction is shared by the state and federal governments. (HB3175 CD1)

