

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 378
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 378 entitled:

"A BILL FOR AN ACT RELATING TO FISHING,"

begs leave to report as follows:

The purpose of this measure is to require a bag limit for uhu and goatfish to no more than two each of kumu, moano ukali, munu, and uhu per person, per day, for recreational, subsistence, or commercial purposes on the island of Maui.

Testimony in support of this measure was submitted by four organizations and seventy-three public citizens. One public citizen supported the intent of the measure. Testimony in opposition was submitted by one organization and three public citizens. Copies of written testimony are available for review on the Legislature's website.

Your Committee finds that in recent years, the number of uhu and goatfish found on reefs surrounding the island of Maui has declined. The popularity of uhu and goatfish as food fish has led to over-harvesting on the island of Maui and has made harvesting these fish for food difficult.

There are eight species of uhu (family *Scaridae*) in Hawaii. Also known as parrotfish, once commonly found on reefs surrounding Maui, uhu is the most prolific contributor of sand production of all Hawaiian reef fishes. Although uhu can be harvested year-round, the regal uhu, palenose uhu, redlip uhu, bullethead uhu,



and the spectacled uhu, require a minimum length of twelve inches by measure of fork length (the distance from the fish's mouth or snout to the fork of the tail) to be legally harvested in Hawaii. Although kumu can be harvested year-round, the white saddle goatfish must have a minimum length of ten inches by measure of fork length to be legally harvested in Hawaii. The moano ukali and munu are unregulated species and currently have no size restrictions.

Your Committee further finds that size restrictions are inadequate to protect the uhu and kumu. According to *Ecology of a Changing Planet*, there are two evolutionary predictions that arise when only larger fish are targeted. The first prediction is that by removing larger fish from a population, a strong selective pressure against growing larger is created, leaving only smaller fish to reproduce. The second prediction comes from leaving a population of smaller fish to survive. The small genes become favored and over time the reproductive size of the species becomes smaller. Fish maturing at a smaller size divert energy from growth to reproduction, the fish do not grow as large and grow more slowly. Thus, the tonnage of catchable fish declines as the size of the fish species decreases.

Your Committee believes that imposing bag limits in addition to size restrictions will protect the reef fish populations, and the production of sand for the island of Maui.

Your Committee has amended this measure by repealing it upon the effective date of comparable administrative rules adopted by the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 378, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 378, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,

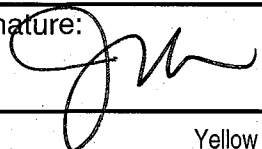
A handwritten signature in black ink, appearing to read "Clayton Hee", written over a horizontal line.

CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 378</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WTL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/11/09</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye/	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)	✓			
BUNDA, Robert	✓			
FUKUNAGA, Carol	✓			
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.				✓
HEMMINGS, Fred				✓
TOTAL	5	0	0	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes