

ACT 237

H.B. NO. 1965

A Bill for an Act Relating to Harmful Aquatic Life.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Alien aquatic organisms can cause serious and irreparable damage to native Hawaiian marine flora and fauna and can also adversely impact the State's aquaculture and visitor industries. Once introduced, control of those organisms is difficult and eradication is usually impossible.

The purpose of this Act is to direct state agencies to initiate discussions between the State and federal regulatory authorities, private shipping and boating industries, and scientists to develop a comprehensive plan to prevent the introduction of alien aquatic organisms in the ballast water and on the hulls of ships into Hawaiian waters.

SECTION 2. (a) The chairperson of the board of land and natural resources shall establish an alien aquatic organism task force consisting of the chairperson or designee and at least one representative from each of the following:

- (1) The department of agriculture;
- (2) The department of health;
- (3) The United States Fish and Wildlife Service;
- (4) The United States National Marine Fisheries Service;
- (5) The United States Coast Guard;
- (6) The United States Navy;
- (7) The commercial shipping, freight, or transport industry;
- (8) The private boating or marine recreation industry;
- (9) A fisheries or marine biology expert;
- (10) The International Maritime Organization; and

- (11) Any other organization which the chairperson determines has an interest in the prevention of the introduction of alien aquatic organisms to Hawaiian waters.

(b) The task force shall review and evaluate the issues pertaining to the monitoring, control, and prevention of alien aquatic organisms being introduced to Hawaiian waters through international shipping and sailing, particularly through the ballast water contained in the holds of the vessels or from encrusting growth attached to the hull of the vessels. The task force shall develop a comprehensive plan to prevent the introduction and dispersal of alien aquatic organisms in the ballast water and on the hulls of vessels into Hawaiian waters by:

- (1) Identifying the ports within the State at greatest risk and the types of vessels posing the greatest danger of introductions;
- (2) Determining methods for notification of arrivals and inspection protocols for these types of vessels;
- (3) Determining preventative measures to minimize the risk of introductions from these vessels;
- (4) Recommending specific studies of existing impacts of alien organisms in ports within the State;
- (5) Recommending monitoring programs to assess the effectiveness of these protocols and measures, both within specific harbors and elsewhere in the State's marine environment;
- (6) Disseminating information relating to alien aquatic organisms to the public;
- (7) Making recommendations of proposed changes needed in rules and statutes to accomplish these goals; and
- (8) Addressing any other matters of concern raised by the task force.

(c) The task force shall submit a report setting forth its findings and recommendations to the legislature no later than twenty days prior to the 1998 regular session.

(d) The alien aquatic organism task force shall cease to exist on June 30, 1998.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 17, 1997.)