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SB 656 RELATING TO CONSERVATION AND RESOURCES

Statement for Senate Committee on
Ecology, Environment, and Recreation
Public Hearing, 3 March 1983

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SB 656 proposes amendments to several sections of Chapters 183, 183D, 187A, and 197 of Hawaii Revised Statutes, and repeal of Chapters 187, 191, and 192. This statement on the bill does not reflect an institutional position of the University of Hawaii.

Our review of SB 656 has been less thorough than our reviews of some other bills with similar intents. We are certain that many of its provisions are not only very desirable from the standpoint of the Department of Land and Natural Resources (DLNR) but appropriate from other standpoints. However, we wish to call attention to problems with a few of its provisions that seem, from an outside standpoint, quite significant. These provisions relate to the Animal Species Advisory Commission that was established to advise the Board of Land and Natural Resources (BLNR) on proposed introductions of animal species.

SB 656 proposes that the number of members of the Commission, now 11, be increased to 13 (p. 42, line 13). The number with scientific competence would remain six. We are concerned with the dilution of the scientific competence on the Commission that would result from the increase in the total number of its members without a proportional increase in the scientific members.

The bill also proposes that three of the 13 members must be DLNR staff members (p. 43, lines 1 - 2). The DLNR staff should and undoubtedly will advise the BLNR. We consider it inappropriate that members of the DLNR staff also should serve as voting members of the Commission which is intended to provide independent advice.

Where the present law provides that the Commission "shall" provide its advice to the BLNR, SB 656 would provide that it "may" advise the BLNR (p. 43, lines 9 and 15). In our opinion, the advice of the Commission should be solicited from and provided by the Commission all on all proposed instructions of animal species.