SB 3051
RELATING TO LICENSING

Senate Committee on Planning, Land and Water Use Management

Public Hearing - February 2, 1996
1:00 P.M., Room 225, State Capitol

By
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SB3051 would add a new chapter to the Hawaii Revised Statutes establishing a commission to develop a comprehensive statewide regulatory policy and licensing system for fishing in waters of the state.

Our statement on this measure is compiled from voluntarily submitted opinions of listed academic reviewers, and as such, does not constitute an institutional position of the University of Hawaii.

There is some question as to the motivation for this measure. We surmise that the stated intent to consolidate fragmented fishing regulation in reality addresses the present lack of recreational salt water fishing licensing, which has never been publicly popular. However, we have doubts that origination of such a proposal from a commission will prove any more palatable to the public.

More specifically, we have concerns that as written, the bill is overly vague, particularly with regard to how the proposed system will be implemented and who will assume the responsibility for its enforcement. We also note that there seems to be a question of duplication of effort, since many of the proposed activities are presently underway in other agencies. For instance, DLNR’s Division of Aquatic resources already has a licensing office. Will the Commission’s licensing responsibilities be delegated to DAR? Also, although the measure speaks to enforcement, who will be responsible for the enforcement actions? Again, DLNR already supports such activities. Will their officers be given these added responsibilities? With what funding will these expanded services be supported?

We note that as written, the definitions of fishers entail considerable overlap.

Most importantly, the central purpose of any resource licensing program, which is management of the resource, receives no mention other than general remarks in the preamble. What data gathering will accompany this program? What reporting requirements will be imposed on recreational fishers? Who will be responsible for compiling and analysing the data? Why are there no provisions for any technical or scientific input to the management of the resource?