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HB 1181 H.D.1 **RELATING TO AQUATIC RESOURCES**

Senate Committee on Economic Development

Public Hearing - March 19, 1999
1:30 p.m., Room 224, State Capitol

By
John Harrison, Environmental Center
M. Casey Jarman, School of Law
James Parrish, Hawaii Cooperative Fishery Unit

HB 1181 H.D. 1 consolidates and standardizes various penalty provisions, establishing minimum fines and graduated penalties within Chapters 187A, 188, 189, and 190, HRS.

Our comments on this measure are compiled from voluntarily submitted opinions of the listed academic sources, and as such, do not constitute an institutional position of the University of Hawaii.

Along with HB1178, this measure establishes procedures and penalties relating to enforcement of statutes providing for aquatic resource management., finally putting teeth into the management of fishery resources in Hawaii that for too long have been allowed to decline. We strongly concur with the intent of the Department to impose management of Hawaii's aquatic resources based on scientific principles and enforced by deterrents to malfeasance that are effective.

The companion bill, SB 1091, has been somewhat weakened, and we prefer the more robust penalty and forfeiture provisions in this version. Too often, penalties have been viewed by violators as the "cost of doing business", and we fear that this attitude may prevail under the terms presently imposed by the current draft of SB 1091.