

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 2 Date MAR - 7 2006

TO: S.B. No. 2006, S.D. 2

SECTION 1. Senate Bill No. 2006, S.D. 2, section 1, is amended to read as follows:

"SECTION 1. In recent years, the number of edible `opihi found in Hawai`i has declined. The popularity of `opihi as a delicacy has led to overharvesting on the island of O`ahu and has made `opihi difficult to find on the neighbor islands.

The blackfoot `opihi (cellana exarata), also known as "makaiauli," once the most common limpet in Hawaiian waters, is found in the upper wash of waves. The yellowfoot `opihi (cellana sandwicensis), also known as "alinalina," is the preferred species for eating. It is found in the wash of waves, roughly between the habitats of the blackfoot `opihi and ko`ele, the third type of edible `opihi in Hawai`i. Ko`ele is also known as the "kneecap" `opihi (cellana talcosa). There is also a fourth type of `opihi (cellana meanostoma) observed in Kaua`i that probably also could be found in Ni`ihau.

Although `opihi can be collected year round, `opihi shells must be at least one and a quarter inches wide, or the meat a half inch wide, to legally harvest them in Hawai`i.

`Opihi is an integral part of certain traditional trade systems where it is used as currency and an important source of revenue, such as on the island of Ni`ihau.

The purpose of this Act is to prohibit the sale of all Hawaiian species of edible `opihi except by a resident of any populated island that is privately owned and has a population of five hundred or less."

SECTION 2. Senate Bill No. 2006, S.D. 2, section 2, is amended to read as follows:

"SECTION 2. Section 188-42.5, Hawaii Revised Statutes, is amended to read as follows:

"**[§]188-42.5[§] Hihiwai, hapawai, `opihi, and opae kala`ole selling prohibited.** It shall be unlawful for any person at any time to sell or offer for sale any hihiwai, hapawai, `opihi, and opae kala`ole taken from any of the waters within the jurisdiction of the State[-]; provided that it shall not be unlawful for a resident of any populated island that is privately owned and has a population of five hundred or less to sell or offer for sale any amount of `opihi. It shall be



presumed that the taking of more than one quart of `opihi, as measured with its shell on, from any of the other waters within the jurisdiction of the State, is for commercial sale purposes.

As used in this section, "`opihi" means all known Hawaiian `opihi species, including cellana exarata (blackfoot), cellana sandwicensis (yellowfoot), cellana talcosa (ko`ele), and cellana melanostoma."

Offered by: J. Kalani Egleh (✓) Carried

() Failed to Carry

() Withdrawn

