

JAN 28 2009

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# A BILL FOR AN ACT

RELATING TO AQUATIC RESOURCES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to protect Hawai'i's  
2 natural resources and to promote and expand collaboration among  
3 state agencies.

4           SECTION 2. Section 187A-12, Hawaii Revised Statutes, is  
5 amended to read as follows:

6           "§187A-12 University of Hawaii may use land, etc. The  
7 University of Hawaii shall have the privilege, free of charge,  
8 of using the land, buildings, apparatus, staff, and appliances  
9 of the department for the purposes of a biological laboratory  
10 and for research and investigation in connection therewith, so  
11 far as the same can be done without material interference with  
12 the use of the same as an aquatic life propagation station or  
13 for other aquatic-resources activities. The university shall  
14 render to the department, in return therefor, such assistance as  
15 is reasonably practicable, in connection with the aquatic life  
16 propagation station or for other aquatic-resources activities,  
17 and as may be mutually agreed upon."



1 SECTION 3. Section 188-36, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§188-36 Hawaii marine laboratory refuge. It is unlawful  
4 for any person within the Hawaii marine laboratory refuge to  
5 take any aquatic life. Nothing in this section shall apply to  
6 any officer, faculty member, employee, or student of the  
7 University of Hawaii or licensee of the board of regents of the  
8 University of Hawaii, while employed in catching or taking  
9 aquatic life for scientific purposes.

10 The Hawaii marine laboratory refuge consists of the reefs  
11 and bay waters surrounding the island of Moku-o-loe located in  
12 Kaneohe Bay, island of Oahu, from the high water mark on the  
13 island extending outward to [u]twenty-five feet beyond the outer  
14 edges of the reefs. [u]

15 All laws enacted for the protection of aquatic life or  
16 wildlife shall likewise apply to the Hawaii marine laboratory  
17 refuge, except that no person or persons, other than those  
18 designated by this section, shall be authorized to catch or take  
19 aquatic life in the refuge.

20 The Hawaii marine laboratory refuge shall continue only as  
21 long as the regents of the University of Hawaii maintain the



# S.B. NO. 1311

1 Hawaii marine laboratory on the island of Moku-o-loe, island of  
2 Oahu.

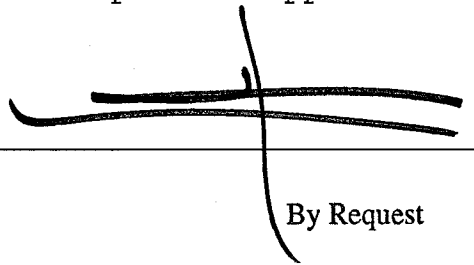
3 Notwithstanding any other law to the contrary, the  
4 University of Hawaii shall be exempt from any law that requires  
5 a permit or application to carry out the functions and duties of  
6 the Hawaii marine laboratory refuge."

7 SECTION 4. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 5. This Act shall take effect upon its approval.

10

INTRODUCED BY: \_\_\_\_\_

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By Request



**Report Title:**

Aquatic Resources; UH; DLNR

**Description:**

Exempts UH from any permitting or application requirements when carrying out any function or duty relating to the Hawaii marine laboratory refuge.

