

JAN 26 2011

A BILL FOR AN ACT

RELATING TO AQUATIC RESOURCES.

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

1 SECTION 1. The legislature finds that Moku-o-loe island
2 (Coconut island), off the island of Oahu, is a world-renowned
3 research facility that is the only marine laboratory refuge in
4 the world to be built on coral reefs. Providing security
5 services to Coconut island is expensive for the Hawaii institute
6 of marine biology which has jurisdiction over Coconut island.
7 The cost to provide twenty-four hour security around Coconut
8 island to protect the island from poachers averages more than
9 \$161,000 per year.

10 The legislature further finds that the Hawaii institute of
11 marine biology has great difficulty in obtaining required state
12 permits to make facility improvements necessary to conduct time-
13 sensitive research work at Coconut island.

14 The purpose of this Act is to:

15 (1) Allow the Hawaii institute of marine biology to use
16 staff of the department of land and natural resources
17 to provide security at Coconut island; and



1 (2) Exempt the institute from state permitting
2 requirements for repair and maintenance at Coconut
3 island.

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, security staff, and
9 appliances of the department for the purposes of a biological
10 laboratory and for research and investigation in connection
11 therewith, so far as the same can be done without material
12 interference with the use of the same as an aquatic life
13 propagation station or for other aquatic-resources activities.
14 The university shall render to the department, in return
15 therefor, [such] assistance [as] that is reasonably practicable,
16 in connection with the aquatic life propagation station or for
17 other aquatic-resources activities, and as may be mutually
18 agreed upon."

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

21 "§188-36 Hawaii marine laboratory refuge. (a) It is
22 unlawful for any person within the Hawaii marine laboratory



1 refuge to take any aquatic life. Nothing in this section shall
2 apply to any officer, faculty member, employee, or student of
3 the University of Hawaii or licensee of the board of regents of
4 the University of Hawaii, while employed in catching or taking
5 aquatic life for scientific purposes.

6 (b) The Hawaii marine laboratory refuge [~~consists~~] shall
7 consist of the reefs and bay waters surrounding the island of
8 Moku-o-loe located in Kaneohe Bay, island of Oahu, from the high
9 water mark on the island extending outward to [^u]twenty-five
10 feet beyond the outer edges of the reefs. [^u]

11 All laws enacted for the protection of aquatic life or
12 wildlife shall [~~likewise~~] apply to the Hawaii marine laboratory
13 refuge, except that no person or persons, other than those
14 designated by this section, shall be authorized to catch or take
15 aquatic life in the refuge.

16 (c) The Hawaii marine laboratory refuge shall continue
17 only as long as the regents of the University of Hawaii maintain
18 the Hawaii marine laboratory on the island of Moku-o-loe, island
19 of Oahu.


20 (d) Notwithstanding any law to the contrary, the Hawaii
21 marine laboratory refuge shall be exempt from obtaining state



1 permits for repair and maintenance of its facilities located on
2 the island of Moku-o-loe (Coconut island), island of Oahu."

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

5 SECTION 5. This Act shall take effect on July 1, 2011.

6
INTRODUCED BY: 



Report Title:

Aquatic Resources; UH; DLNR

Description:

Allows UH to use staff of DLNR for security for coconut island. Exempts Hawaii marine laboratory refuge from obtaining permits for repair and maintenance of facilities on coconut island.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

