
HOUSE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO AMEND
CHAPTER 188, HAWAII REVISED STATUTES, BY ADDING A NEW
SECTION TO BE APPROPRIATELY DESIGNATED PROHIBITING THE SALE
OF AQUATIC LIFE FOR AQUARIUM PURPOSES AND AMEND EXISTING
SECTION 188F-4 REGARDING THE WEST HAWAII REGIONAL FISHERY
MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS
IN MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING
RECEIPTS IN DUPLICATE;

A RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A MORATORIUM ON
THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR
AQUARIUM PURPOSES FROM STATE WATERS; AND
REQUESTING THE HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES
TO ADOPT A RULE PROHIBITING THE COMMERCIAL TAKE AND SALE OF
AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS.

1 WHEREAS, article XI, section 1 of the Hawaii Constitution
2 affirms the State's duty to conserve and protect Hawaii's
3 natural beauty and all natural resources for the benefit of
4 present and future generations; and
5

6 WHEREAS, Hawaii state law recognizes that "all indigenous
7 species of aquatic life" are "integral parts of Hawaii's native
8 ecosystems" and are natural resources of significant scientific,
9 cultural and environmental value, and accordingly, in order to
10 "insure the continued perpetuation of indigenous aquatic life"
11 the Legislature charged the State with the duty to "take
12 positive actions to enhance their prospects for survival"; and
13

14 WHEREAS, the total economic value of Hawaii's coral reef
15 ecosystems is an estimated \$34,000,000,000 annually; and
16

17 WHEREAS, Hawaii's indigenous and endemic aquatic species
18 are being devastated by collection for aquarium purposes,



H.C.R. NO. 8

1 significantly altering reef wildlife assemblages and
2 corresponding coral reef and marine ecosystem balance; and
3

4 WHEREAS, the majority of aquarium-targeted aquatic life
5 species are herbivores, providing the essential ecosystem
6 service of protecting corals from being overgrown by algae; and
7

8 WHEREAS, endemic species, occurring nowhere else in the
9 world and contributing to Hawaii's natural legacy, are
10 threatened with extinction by collection for aquarium purposes;
11 and
12

13 WHEREAS, the County of Maui has passed legislation to
14 prevent further degradation of their reefs and aquatic life; and
15

16 WHEREAS, despite measures, such as a collection prohibition
17 along thirty-five per cent of the west Hawaii coastline,
18 intended to mitigate aquarium trade related species depletion,
19 scientific research proves that collection of reef fish for
20 aquarium purposes continues to significantly diminish targeted
21 populations, including endemic species, and important human food
22 species like *kole* (goldring surgeonfish) and *paku'iku'i*
23 (*achilles tang*); and
24

25 WHEREAS, taking reef wildlife and disturbing reef
26 ecosystems for decoration, entertainment, and display in
27 corporate offices and private homes around the world is contrary
28 to native Hawaiian values and cultural ideas, including the
29 State of Hawaii motto, *Ua mau ke ea o ka aina i ka pono*, the
30 life of the land is perpetuated in righteousness; and
31

32 WHEREAS, article XII, section 7 of the Hawaii Constitution
33 affirms protection of native Hawaiian rights customarily and
34 traditionally exercised for subsistence cultural and religious
35 purposes; and
36

37 WHEREAS, a balanced marine ecosystem is important to the
38 survival and sustainability of fishing grounds (*koa*) the ability
39 to continue to fish and gather using customary and traditional
40 methods and is a critically important element in perpetuating
41 native Hawaiian customary and traditional practices; and



H.C.R. NO. 8

1
 2 WHEREAS, the County of Hawaii has passed a resolution that,
 3 in order to prevent further degradation of their reefs and
 4 aquatic life and to protect all of Hawaii's reefs and aquatic
 5 life, urges the Legislature to enact a law prohibiting the sale
 6 of aquatic life for aquarium purposes; and

7
 8 WHEREAS, in a cultural and environmentally driven tourism
 9 economy the continued protection of our reefs and its
 10 inhabitants enhances the overall cultural experience which
 11 brings millions of tourism dollars into the state coffers; and

12
 13 WHEREAS, the Council of the County of Kauai urges the
 14 Governor to ensure compliance with state laws intended to
 15 protect Hawaii's natural and cultural resources by using his
 16 constitutional authority as chief executive coupled with his
 17 duty to see that the State's laws are faithfully executed to
 18 issue a moratorium on the sale of aquatic life taken for
 19 aquarium purposes from state waters; and

20
 21 WHEREAS, the Council of the County of Kauai urges the
 22 Department of Land and Natural Resources and the Legislature to
 23 protect our reefs and its aquatic life and promote increasing
 24 reef fish population that will continue to enhance the overall
 25 experience of Hawaii's culture and natural resources and attract
 26 and sustain the tourist industry of our State by prohibiting the
 27 sale for aquarium purposes of aquatic life taken from state
 28 waters; now, therefore,

29
 30 BE IT RESOLVED by the House of Representatives of the
 31 Twenty-sixth Legislature of the State of Hawaii, Regular Session
 32 of 2012, the Senate concurring, that in order to protect the
 33 reefs and aquatic life within the State of Hawaii:

34
 35 (1) The Governor is urged to issue a moratorium on the
 36 commercial take and sale of aquatic life taken for
 37 aquarium purposes from state waters; and

38
 39 (2) The Department of Land and Natural Resources is urged
 40 to adopt rules prohibiting the commercial take and
 41 sale of aquatic life taken for aquarium purposes from



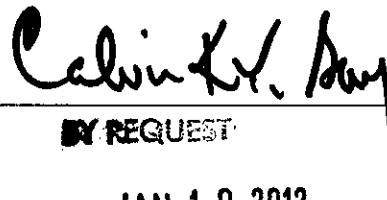
H.C.R. NO. 8

1 state waters while continuing to allow cultural,
2 sustenance, or bona fide research or educational take
3 for aquarium purposes; and
4

- 5 (3) The Hawaii State Legislature is urged to enact a law
6 that prohibits the taking of aquatic life for aquarium
7 purposes from the State's waters without a permit,
8 provides penalties for violating this prohibition, and
9 expands the West Hawaii Regional Fishery Management
10 Area to include all of West Hawaii's coastal waters;
11 and
12

13 BE IT FURTHER RESOLVED that certified copies of this
14 Concurrent Resolution be transmitted to the Governor,
15 Chairperson of the Board of Land and Natural Resources,
16 President of the Senate, Speaker of the House of
17 Representatives, Chairperson of the House of Representatives
18 Committee on Finance, and Mayor of each county.
19
20
21

OFFERED BY:


BY REQUEST

JAN 19 2012

