
HOUSE 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
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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
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14 WHEREAS, the total economic value of Hawaii's coral reef
15 ecosystems is an estimated \$34,000,000,000 annually; and
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17 WHEREAS, Hawaii's indigenous and endemic aquatic species
18 are being devastated by collection for aquarium purposes,
19 significantly altering reef wildlife assemblages and
20 corresponding coral reef and marine ecosystem balance; and
21



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1 WHEREAS, the majority of aquarium-targeted aquatic life
2 species are herbivores, providing the essential ecosystem
3 service of protecting corals from being overgrown by algae; and
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5 WHEREAS, endemic species, occurring nowhere else in the
6 world and contributing to Hawaii's natural legacy, are
7 threatened with extinction by collection for aquarium purposes;
8 and
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10 WHEREAS, the County of Maui has passed legislation to
11 prevent further degradation of their reefs and aquatic life; and
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13 WHEREAS, despite measures, such as a collection prohibition
14 along thirty-five per cent of the west Hawaii coastline,
15 intended to mitigate aquarium trade related species depletion,
16 scientific research proves that collection of reef fish for
17 aquarium purposes continues to significantly diminish targeted
18 populations, including endemic species, and important human food
19 species like *kole* (goldring surgeonfish) and *paku'iku'i*
20 (*achilles tang*); and
21

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

29 WHEREAS, article XII, section 7 of the Hawaii Constitution
30 affirms protection of native Hawaiian rights customarily and
31 traditionally exercised for subsistence cultural and religious
32 purposes; and
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34 WHEREAS, a balanced marine ecosystem is important to the
35 survival and sustainability of fishing grounds (*koa*) the ability
36 to continue to fish and gather using customary and traditional
37 methods and is a critically important element in perpetuating
38 native Hawaiian customary and traditional practices; and
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40 WHEREAS, the County of Hawaii has passed a resolution that,
41 in order to prevent further degradation of their reefs and



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1 aquatic life and to protect all of Hawaii's reefs and aquatic
2 life, urges the Legislature to enact a law prohibiting the sale
3 of aquatic life for aquarium purposes; and
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5 WHEREAS, in a cultural and environmentally driven tourism
6 economy the continued protection of our reefs and its
7 inhabitants enhances the overall cultural experience which
8 brings millions of tourism dollars into the state coffers; and
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10 WHEREAS, the Council of the County of Kauai urges the
11 Governor to ensure compliance with state laws intended to
12 protect Hawaii's natural and cultural resources by using his
13 constitutional authority as chief executive coupled with his
14 duty to see that the State's laws are faithfully executed to
15 issue a moratorium on the sale of aquatic life taken for
16 aquarium purposes from state waters; and
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18 WHEREAS, the Council of the County of Kauai urges the
19 Department of Land and Natural Resources and the Legislature to
20 protect our reefs and its aquatic life and promote increasing
21 reef fish population that will continue to enhance the overall
22 experience of Hawaii's culture and natural resources and attract
23 and sustain the tourist industry of our State by prohibiting the
24 sale for aquarium purposes of aquatic life taken from state
25 waters; now, therefore,
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27 BE IT RESOLVED by the House of Representatives of the
28 Twenty-sixth Legislature of the State of Hawaii, Regular Session
29 of 2012, that in order to protect the reefs and aquatic life
30 within the State of Hawaii:
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32 (1) The Governor is urged to issue a moratorium on the
33 commercial take and sale of aquatic life taken for
34 aquarium purposes from state waters; and
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36 (2) The Department of Land and Natural Resources is urged
37 to adopt rules prohibiting the commercial take and
38 sale of aquatic life taken for aquarium purposes from
39 state waters while continuing to allow cultural,
40 sustenance, or bona fide research or educational take
41 for aquarium purposes; and



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2 (3) The Hawaii State Legislature is urged to enact a law
3 that prohibits the taking of aquatic life for aquarium
4 purposes from the State's waters without a permit,
5 provides penalties for violating this prohibition, and
6 expands the West Hawaii Regional Fishery Management
7 Area to include all of West Hawaii's coastal waters;
8 and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Resolution be transmitted to the Governor, Chairperson of the
12 Board of Land and Natural Resources, President of the Senate,
13 Speaker of the House of Representatives, Chairperson of the
14 House of Representatives Committee on Finance, and Mayor of each
15 county.
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OFFERED BY: Calvin H. King
BY REQUEST

JAN 19 2012

