



1 recommendations on the review to the legislature no later than  
2 twenty days prior to the convening of the regular session  
3 following the review, beginning with the regular session of  
4 2014."

5 SECTION 2. For purposes of section 190-B, Hawaii Revised  
6 Statutes, the review and report shall be a product of community  
7 involvement, including collaboration among the department of  
8 land and natural resources, University of Hawaii, The Humane  
9 Society of the United States, Maui Tomorrow, Hui Ho'omalu i ka  
10 'Aina, Pacific Whale Foundation, and other affected or interested  
11 parties as determined by the department of land and natural  
12 resources.

13 PART II.

14 SECTION 3. Section 188-31, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "§188-31 Permits to take aquatic life for aquarium  
17 purposes. (a) Except as prohibited by law, the department,  
18 upon receipt of a written application, may issue an aquarium  
19 fish permit, not longer than one year in duration, to use fine  
20 meshed traps, or fine meshed nets other than throw nets, for the  
21 taking of marine or freshwater nongame fish and other aquatic  
22 life for aquarium purposes[-]; provided that an aquarium fish



1 permit shall not be issued to a person unless the person also  
2 has a commercial marine license, as defined in section 187A-1.  
3 The fee for the aquarium fish permit shall be \$500.

4 (b) Except as prohibited by law, the permits shall be  
5 issued only to persons who can satisfy the department that they  
6 possess facilities to and can maintain fish and other aquatic  
7 life alive and in reasonable health.

8 (c) It shall be illegal to sell or offer for sale any fish  
9 and other aquatic life taken under an aquarium fish permit  
10 unless those fish and other aquatic life are sold alive for  
11 aquarium purposes.

12 The department may adopt rules pursuant to chapter 91 for  
13 the purpose of this section.

14 (d) No permit issued pursuant to this section shall  
15 authorize the taking of salt water fish or freshwater nongame  
16 fish during the months of January, April, July, and October.  
17 During the months of January, April, July, and October, no  
18 person shall take salt water fish or freshwater nongame fish  
19 with the intent to sell the fish for aquarium purposes. Any  
20 person violating this subsection or any rule adopted by the  
21 department pursuant to this subsection shall be guilty of a  
22 misdemeanor.



1        [~~(d)~~] (e) For the purposes of this section:

2        (1) "Aquarium purposes" means to hold salt water fish,  
3                freshwater nongame fish, or other aquatic life alive  
4                in a state of captivity as pets, for scientific study,  
5                or for public exhibition or display, or for sale for  
6                these purposes; and

7        (2) "Aquarium fish permit" means a permit issued by the  
8                board for the use of fine mesh nets and traps to take  
9                salt water fish, freshwater nongame fish, or other  
10                aquatic life for aquarium purposes."

11        SECTION 4. In codifying the new sections added by section  
12 1 of this Act, the revisor of statutes shall substitute  
13 appropriate section numbers for the letters used in designating  
14 the new sections in this Act.

15        SECTION 5. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18        SECTION 6. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20        SECTION 7. This Act shall take effect upon its approval.

21

INTRODUCED BY: Will Eyo



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# S.B. NO. 2408

**Report Title:**

Marine Life Conservation Districts; Aquarium Fish; DLNR

**Description:**

Requires DLNR to establish a new marine life conservation district in each county. Prohibits the taking of aquarium fish during the months of January, April, July, and October. Establishes violation as a misdemeanor.

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

