

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO FISHING.

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

1           SECTION 1. Chapter 188, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§188- Parrot fish; prohibitions, penalties, and fines.

5           (a) Effective July 1, 2014, no person shall knowingly capture  
6 or kill any parrot fish within state marine waters.

7           (b) Notwithstanding subsection (a), any person who holds a  
8 license or permit issued by the department of land and natural  
9 resources to conduct research or for educational purposes  
10 possesses, sells, offers for sale, trades, or distributes parrot  
11 fish shall not be subject to the penalties of this section.

12           (c) Any person violating this section or rule adopted  
13 pursuant to this section shall be penalized as follows:

14           (1) For a first offense, by an administrative fine of not  
15 less than \$1,000 and not more than \$3,000;

16           (2) For a second offense, by an administrative fine of not  
17 less than \$3,000 and not more than \$10,000. In  
18 addition, parrot fish, commercial marine licenses,



1 vessels, fishing equipment, or other property involved  
2 in a violation of this section shall be subject to  
3 seizure and forfeiture pursuant to chapter 712A; and

4 (3) For a third or subsequent offense, by an  
5 administrative fine of not less than \$10,000 and not  
6 more than \$20,000 or by imprisonment of not more than  
7 one year, or both. In addition, parrot fish,  
8 commercial marine licenses, vessels, fishing  
9 equipment, or other property involved in a violation  
10 of this section shall be subject to seizure and  
11 forfeiture pursuant to chapter 712A.

12 (d) The department may adopt rules pursuant to chapter 91  
13 necessary for the purposes of this section.

14 (e) For purposes of this section, "parrot fish" means any  
15 species that belongs to the subfamily scarinae."

16 SECTION 2. Section 188-70, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) to read as follows:

18 "(a) Any person violating any provision of or any rule  
19 adopted pursuant to this chapter, except sections 188-23 [and],  
20 188-39.5, or 188- , is guilty of a petty misdemeanor and, in  
21 addition to any other penalties, shall be fined not less than:

22 (1) \$100 for a first offense;



1 (2) \$200 for a second offense; and

2 (3) \$500 for a third or subsequent offense."

3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

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

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

9

INTRODUCED BY: *Therese Ann Alcala*  
*By Request*



# S.B. NO. 1320

**Report Title:**

Fishing; Prohibit; Parrot Fish

**Description:**

Prohibits the catching of any member of the parrot fish subfamily. Establishes rules and penalties for catching any member of the parrot fish subfamily.

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

