
A BILL FOR AN ACT

RELATING TO FISHING RIGHTS.

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

1 SECTION 1. Every year, aquatic life is collected on
2 Hawaii's coral reefs and shipped to the mainland United States,
3 Europe, and Asia for use in hobby aquariums. Currently, there
4 are approximately three hundred total permits, commercial and
5 recreational, to take aquarium fish. Because aquarium fish
6 collectors are highly selective and often capture large
7 quantities of individual fish of high value, the potential for
8 over-exploitation is high.

9 Many coral reef fish and invertebrates have complex
10 relationships with the overall ecology of the reef. Their
11 removal may affect the long-term stability of these ecosystems.
12 Significant population declines and major shifts in species
13 diversity are now evident in coral reef areas where collection
14 is occurring.

15 The purpose of this Act is to:

16 (1) Establish a ten year moratorium on the taking of
17 aquarium fish; and



1 (2) Provide assistance, training, and related employment
2 services to workers dislocated by the moratorium.

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

6 "§188- Aquarium fish; moratorium on taking. (a)
7 Notwithstanding section 188-31 or any other law to the contrary,
8 until June 30, 2025, no person shall take aquarium fish from
9 state waters.

10 (b) For the purposes of this section:

11 "Aquarium fish" means salt water fish, freshwater nongame
12 fish, or other aquatic life used for aquarium purposes.

13 "Aquarium purposes" means to hold salt water fish,
14 freshwater nongame fish, or other aquatic life alive in a state
15 of captivity as pets, for scientific study, for public
16 exhibition or display, or for sale for any of these purposes.

17 "Take" means to fish for, catch, capture, confine, or
18 harvest or to attempt to fish for, catch, capture, confine, or
19 harvest aquatic life."

20 SECTION 3. Section 188-31, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) Except as prohibited by law^[7] and subject to section
2 188- , the department, upon receipt of a written application,
3 may issue an aquarium fish permit, not longer than one year in
4 duration, to use fine meshed traps, or fine meshed nets other
5 than throw nets, for the taking of marine or freshwater nongame
6 fish and other aquatic life for aquarium purposes."

7 SECTION 4. (a) The department of labor and industrial
8 relations shall provide assistance, training, and related
9 employment services under the dislocated workers program
10 established pursuant to section 394B-4, Hawaii Revised Statutes,
11 to workers dislocated by the moratorium established by section 2
12 of this Act; provided that the worker's primary source of income
13 is the taking of aquarium fish.

14 (b) The department of labor and industrial relations, as
15 appropriate, may expend federal moneys and other moneys made
16 available to it to carry out its duties under subsection (a).

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

20 SECTION 6. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



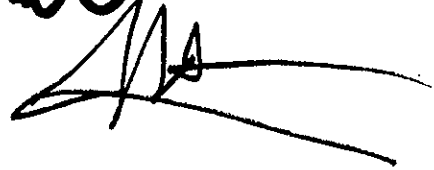


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1 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Aquarium Fish; Moratorium; Dislocated Workers Program

Description:

Establishes a 10 year moratorium on the taking of aquarium fish. Provides assistance, training, and related employment services to workers dislocated by the moratorium.

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