

JAN 17 2020

A BILL FOR AN ACT

RELATING TO LAY NETS.

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- Abandonment of lay nets prohibited. (a) It is
5 unlawful to abandon on, in, or near state waters, a lay net used
6 for the purpose of taking aquatic life. The department may
7 issue permits for the possession or use of lay nets.

8 (b) For the purposes of this section, "lay net" means a
9 gill net that is deployed in the water in a specific location
10 and retrieved from the same location after a certain time period
11 has passed to allow for the capture of aquatic life.

12 (c) This section shall not apply to any person exercising
13 native Hawaiian rights, customarily and traditionally exercised
14 for subsistence, cultural, and religious purposes pursuant to
15 article XII, section 7, of the Hawaii State Constitution."

16 SECTION 2. The department of land and natural resources
17 shall implement a comprehensive, statewide lay net education and



1 enforcement program to educate users on existing administrative
2 rules and other regulations relating to lay nets, including
3 registration requirements, conditions of use, and penalties.

4 The program shall include:

- 5 (1) Outreach on all islands;
- 6 (2) Appropriate means of communicating with and addressing
7 immigrant populations; and
- 8 (3) Increased monitoring and enforcement efforts.

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

12 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY: _____

Clarence K. Fischer



S.B. NO. 2536

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S.B. NO. 2536

Report Title:

Fishing; Lay Nets; Abandonment; Education; Criminal Penalty

Description:

Prohibits the abandonment of lay nets used for fishing.
Authorizes DLNR to issue permits for the use and possession of lay nets. Requires DLNR to establish a comprehensive, statewide lay net education and enforcement program.

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

