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# A BILL FOR AN ACT

RELATING TO AQUATIC LIFE.

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

1 SECTION 1. Section 188-31, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§188-31 Permits to take aquatic life for aquarium**  
4 **purposes.** (a) Except as prohibited by law, the department,  
5 upon receipt of a written application, may issue an aquarium  
6 fish permit, not longer than one year in duration, to use fine  
7 meshed traps, or fine meshed nets other than throw nets, for the  
8 taking of marine or freshwater nongame fish and other aquatic  
9 life for aquarium purposes.

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

14 (c) It is unlawful for any person to use nets made of or  
15 using netting with a stretched mesh of less than two inches,  
16 except that aquarium fish collectors with a valid aquarium fish  
17 permit issued pursuant to this section may use traps and nets



1 for aquarium fish and other aquatic life in conformance with the  
2 conditions of the permit; provided that non-commercial aquarium  
3 fish collectors shall be limited to a combined total of five  
4 fish or aquatic life specimens per person per day. Any person  
5 violating this subsection shall be subject to penalty as  
6 provided under sections 187A-12.5 and 188-70. Each violation  
7 shall constitute a separate offense.

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

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

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

15       (1) "Aquarium purposes" means to hold salt water fish,  
16       freshwater nongame fish, or other aquatic life alive  
17       in a state of captivity as pets, for scientific study,  
18       or for public exhibition or display, or for sale for  
19       these purposes; and

20       (2) "Aquarium fish permit" means a permit issued by the  
21       board for the use of fine mesh nets and traps to take



1 salt water fish, freshwater nongame fish, or other  
2 aquatic life for aquarium purposes."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *Francis A. Furze*



# S.B. NO. 2299

**Report Title:**

Aquarium Fish Permits; Nets; Non-commercial Aquarium Fish Collectors; Limits

**Description:**

Establishes that it shall be unlawful for any person to use nets made of or using netting with a stretched mesh of less than two inches, except that aquarium fish collectors with a valid aquarium fish permit may use traps and nets for aquarium fish and other aquatic life in conformance with the permit; provided that non-commercial aquarium fish collectors shall be limited to a combined total of five fish or aquatic life specimens per person per day. Establishes penalties.

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

