

ACT 54

H.B. NO. 2177

A Bill for an Act Relating to Fishing.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 188-29, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) It is unlawful for any person to use nets made of or using netting, or bullpen traps with a stretched mesh of less than two inches, except that:

- (1) Persons engaged in sport fishing may use throw nets with stretched mesh of not less than one and one-half inches until December 31, 1994; thereafter, persons engaged in sport fishing may not use throw nets with stretched mesh of less than two inches;
- (2) Pond owners or operators who hold a license issued under section 188-44 may use nets of smaller mesh to take young mullet or pua for stocking their fish ponds;
- (3) Commercial marine licensees who hold a license issued under section 188-45 may use nets of smaller mesh to take nehu, iao, marquesan sardine, or any other species for which an open season may be declared by the department of land and natural resources for use as bait;
- (4) All persons may use nets of smaller mesh to take shrimp or opae, opelu, makiawa, or mikiawa;
- (5) Aquarium fish collectors with a valid aquarium fish permit issued by the department pursuant to section 188-31 may use nets of smaller mesh, but not thrownets, to fish for aquarium fish in conformance with the conditions of the permit, provided that noncommercial aquarium fish collectors shall be limited to a combined total of five fish or aquatic life specimens per person per day;
- (6) All persons may use a net with mesh of not less than one and one-half inches to take akule; provided that no akule measuring less than eight and one-half inches in total length from the tip of the snout to the tip of the tail shall be taken with a net during the months of July, August, September, and October; [and]
- (7) All persons engaged in surround net fishing with scuba, may use nets with mesh of not less than one and one-half inches only to bag and transport the fish captured with legal gear to the shore or the boat[.];
- (8) All persons engaged in stationary monofilament gill net fishing may use monofilament gill netting with a stretched mesh of not less than two inches until December 31, 1996; thereafter it shall be unlawful

for any person to use stationary monofilament gill nets made of or using monofilament gill netting with a stretched mesh of less than two and three-fourths inches; and

- (9) All persons may use hand nets or scoop nets of smaller mesh to take fish or other marine life for noncommercial purposes only; provided that the net, including any handle and other attachment thereto, shall not exceed three feet in any dimension."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved May 6, 1994.)