
A BILL FOR AN ACT

RELATING TO CRUSTACEANS.

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

1 SECTION 1. The legislature finds that the management of
2 natural resources requires constant monitoring and, when
3 necessary, the amending of regulations to adjust to the changing
4 environment. The most effective way to amend and implement
5 specific provisions is through the administrative rule process
6 in chapter 91, Hawaii Revised Statutes. The administrative
7 rules process provides a mechanism for the department of land
8 and natural resources (department) to discuss proposed changes
9 to administrative rules through a public process that is
10 transparent, provides the public ample opportunities for
11 comment, and helps to ensure due process. Administrative rules
12 would also enable the department to adopt more comprehensive
13 changes for the management of new species.

14 Since the 2006 enactment of section 188-58.5, Hawaii
15 Revised Statutes, the information about the Kona crab has grown
16 to the point where changes to the management measures for this
17 species needs updating. The department has since adopted



1 administrative rules that prohibit the taking, killing, or
2 possession of female spiny lobster (ula), Kona crab (ranina
3 ranina), and Samoan crab (Scylla serrata).

4 The purpose of this Act is to repeal section 188-58.5,
5 Hawaii Revised Statutes, to allow the department to regulate the
6 taking, killing, or possession of female spiny lobster (ula),
7 Kona crab (ranina ranina), and Samoan crab (Scylla serrata)
8 through administrative rules.

9 SECTION 2. Section 188-58.5, Hawaii Revised Statutes, is
10 repealed.

11 ~~["~~§188-58.5~~ Female ula (spiny lobsters), Kona crabs, and~~
12 ~~Samoan crabs, taking or killing prohibited.~~ (a) Unless
13 otherwise exempted by law, it shall be unlawful for any person
14 to take or kill any female ula (spiny lobster or Panulirus),
15 Kona crab (Ranina ranina), or Samoan crab (Scylla serrata).

16 ~~(b) This section shall not prohibit the taking or killing~~
17 ~~of female marine invertebrates identified in subsection (a) if~~
18 ~~they are the product of commercial aquaculture and not removed~~
19 ~~from their natural environment."]~~

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken.



1 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Crustaceans; Prohibition on Taking or Killing; Administrative Rules

Description:

Repeals section 188-58.5, Hawaii Revised Statutes, which prohibits the taking or killing of female spiny lobsters, Kona crabs, and Samoan crabs. (SD1)

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