

A Bill for an Act Relating to Fishing with Firearms and Spears.

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

SECTION 1. Section 188-25, Hawaii Revised Statutes, is amended to read:

“Sec. 188-25. Fishing with firearms, spears. (a) It shall be unlawful for any person to pursue, take or kill any turtle, crustacean, mollusk, aquatic mammal or fish other than sharks in the waters of the State with firearms as defined in section 134-1 or to pursue, take or kill any crustacean with a spear. (b) It shall be unlawful for any person below the age of fourteen years who is not accompanied by an adult to use a spear-gun in the waters of the State. (c) It shall be unlawful for any person to sell or offer to sell any turtle or fish other than sharks taken or killed with a spear, provided that turtles or fish may be lawfully taken or killed with a spear for home consumption only.

Any turtle, crustacean, mollusk, aquatic mammal or fish taken, killed or offered for sale in violation of this section shall be confiscated and offered as evidence. For the purpose of this section, “spear-gun” shall mean any artificial device used to propel a spear or spears by means of compressed air or gas, elastic, spring or any motive power. Whosoever violates this section shall be fined not less than \$10 nor more than \$50, or imprisoned not less than ten nor more than twenty days, or both.

It shall be unlawful for any person to take, by the use of spears, any fish which is smaller than the minimum size for the fish as specified in section 188-40 and any person violating this provision shall be punished as provided in the preceding paragraph.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

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

(Approved May 24, 1971.)

* Edited accordingly.