

ACT 128

H.B. NO. 833

A Bill for an Act Relating to Fishing Regulations.

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

SECTION 1. Chapter 188, Part II, Hawaii Revised Statutes, is amended by adding a new section to read:

"Sec. 188- Fishing with gill nets. It shall be unlawful for any person engaged in gill net fishing to leave his net unattended for a period of more than twelve hours.

Any person who violates this section shall be fined not less than \$100 nor more than \$500 or imprisoned not more than six months or both."

SECTION 2. Section 189-2 of the Hawaii Revised Statutes is amended to read as follows:

"Sec. 189-2 Commercial fishing license. It shall be unlawful for any person to engage in commercial fishing in the waters of the State or to sell or to offer for sale or to profit from any sale of fish anywhere in the State whether the fish are caught or taken in the waters of the State or outside the waters of the State, without first obtaining a commercial fishing license as provided in this section.

The department of land and natural resources shall issue commercial fishing licenses upon payment of the prescribed fees and receipt of properly completed applications upon such forms as may be prescribed by the department. The applications for commercial fishing licenses shall require a statement of the following information: the applicant's name, address, age, place of birth, length of residence in the State, height, weight, color of hair and eyes, citizenship, and other such information as may be pertinent.

Every commercial fisherman shall also be issued a commercial fishing badge. No commercial fisherman shall permit any other person to carry, display, or use his license or badge for any purpose. Every commercial fisherman shall display his badge in a prominent place upon his clothing while fishing and shall show his license upon demand of any officer authorized to enforce the fish and game laws of the State. Failure or refusal to so show the license shall be sufficient cause for immediate cancellation of such license by the department.

All licenses issued under this section shall be in force from the date of issuance to June 30 following the date of issuance. Duplicate licenses may be issued to any person upon affidavit that he has lost his license, and upon payment of a fee of 50 cents.

The fee for a commercial fishing license shall be:

- (1) \$10 for any person who has resided in the State for one year or longer, and
- (2) \$20 for all other persons, except that anyone who qualifies as a "trainee" fisherman under rules prescribed by the department of land and natural resources shall have such fee waived for a period of not more than 180 calendar days from the date on which such license is issued.

SECTION 3. Statutory 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 4. This Act shall take effect upon its approval.

(Approved May 31, 1977.)

*Edited accordingly.