

ACT 164

H.B. NO. 2402-78

A Bill for an Act Relating to Fishing.

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

SECTION 1. Section 188-35, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 188-35 Fishing in Waikiki and other waters; penalty. It shall be unlawful for any person to fish in the waters of the Waikiki reclamation canal, the drainage canal constructed in connection with Kapiolani Boulevard, the Kapalama drainage canal, off Heeia-kea wharf, within that portion of Waialua Bay delineated on the seaward boundary by lines drawn 100 yards seaward of and parallel to the Haleiwa Harbor Breakwater and 100 yards seaward of and parallel to the Haleiwa Beach Groin including the extension to the intercept of these lines and the inland boundary consisting of a line drawn 10 yards downstream of and parallel to the Anahulu Bridge and within that portion of Pokai Bay delineated on the seaward boundary by a straight line drawn from Kaneilio Point to the South bank of the mouth of the Kaupuni Drainage Canal on Oahu, or the Kapaa and Waikaena canals on Kauai, with any device whatsoever, except as hereinafter provided.

With reference to any of the places or areas named above, any person may at any time fish or take any fish with one line, or one rod and line, provided the line shall not have more than two hooks; or may take crabs with not more than ten nets, provided the nets shall not exceed two feet in diameter; or may take shrimps for bait purposes only with a hand net, provided the net shall not exceed three feet in any dimension[.]; provided that in the Waikiki reclamation canal any person may take up to fifty tabai or mosquito fish, or o’opu akupa, or tilapia or any combination thereof, per day, for non-commercial purposes only, with a single, small mesh net, provided that the net including any handle and other attachment thereto shall not exceed three feet in any dimension.

With a permit obtained from the department of land and natural resources and under such rules and regulations as the department may prescribe, the owner or operator of a fish pond may take pua or other small fish, using nets, for the purpose of stocking such fish pond.

With a permit from the department, commercial fisherman may take nehu or iao, using nets, for bait purposes only.

The department may issue such permits at its discretion and at any time may revoke any or all such permits when, in its judgment, the action is necessary

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to preserve the stock of fish in the canals or waters.

Any person who violates this section shall be fined not less than \$25 nor more than \$200, or imprisoned not more than six months, or both."

SECTION 2. 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 3. This Act shall take effect upon its approval.

(Approved June 1, 1978.)