

A Bill for an Act Relating to the Statewide Fish Aggregating System.

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

SECTION 1. Purpose. The purpose of this Act is to provide the department of land and natural resources with authority to establish administrative rules relating to the continued development, improvement, use and enforcement of the Fish Aggregating Devices.

SECTION 2. Chapter 189, Hawaii Revised Statutes, is amended by adding two new sections, to be appropriately designated and to read:

“§189- Authority. The department of land and natural resources may promulgate and enforce rules concerning the use of fish aggregation devices deployed under the Statewide Fish Aggregating System. The rules may include provisions that prohibit attaching, mooring, or tying any boat or other watercraft to the fish aggregating devices, or boarding, defacing, damaging, removing or destroying such devices; provided that the department may engage in such activities as deemed necessary to enhance the fish aggregating system.

“§189- Penalty. A person violating the provisions of section 189- shall be guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as provided by law; provided that, any punishment for any violation of the provisions shall not be deemed to preclude the State from bringing legal actions for damages to, or loss of, such fish aggregating devices.”

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

(Approved May 28, 1981.)