

ACT 129

S.B. NO. 1224

A Bill for an Act Relating to Fishing.

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

SECTION 1. Section 188-28.5, Hawaii Revised Statutes, is amended to read as follows:

**“§188-28.5 Bullpen trap; description; prohibitions.** (a) For the purpose of this chapter, a “bullpen trap” has a pen and guide or guides of a length or lengths of net or material designed to guide aquatic life into the pen situated to prevent the escape of some or all of the aquatic life entering the pen, whether or not the guide or guides are connected to the pen.

(b) It is unlawful for any person to capture or attempt to capture aquatic life with a bullpen trap which exceeds two thousand feet in total length [exceeds seven hundred fifty feet]. The total length of a bullpen trap shall include the length of the guide or guides and pen.

(c) It is unlawful for any person engaged in bullpen trap fishing to leave the trap in the same place for a period of more than [twelve hours.] sixteen hours.

(d) It is unlawful for any person to capture or attempt to capture aquatic life with a bullpen trap within one thousand yards from the shoreline, except as provided in subsection (e).

(e) Notwithstanding subsection (d), it is lawful to capture or to attempt to capture aquatic life with a bullpen trap in the area seaward from five hundred yards from the shoreline of the island of Molokai west of Kaunakakai wharf and in the area seaward from two hundred yards from the shoreline of the island of Molokai east of Kaunakakai wharf; provided that the department may designate other areas of similar characteristics in which the use of bullpen traps within one thousand yards from the shoreline may be allowed under this subsection.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

## **ACT 129**

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

(Approved May 28, 1985.)