

A Bill for an Act Relating to Fishing.

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

SECTION 1. Section 188-29, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) It is unlawful for any person to use nets or traps including bullpen traps of any type with a stretched mesh of less than two inches, or to use any trap which is not portable or which is more than ten feet in length or six feet in height or width; provided that:

- (1) Persons engaged in sport fishing may use throw nets with stretched mesh of not less than one and one-half inches[,] until December 31, 1994; thereafter, persons engaged in sport fishing may not use throw nets with stretched mesh of less than two inches;
- (2) Pond owners or operators who hold a license issued under section 188-44 may use nets of smaller mesh to take young mullet or pua for stocking their fish ponds[.];
- (3) Commercial marine licensees who hold a license issued under section 188-45 may use nets of smaller mesh to take nehu, iao, marquesan sardine, or any other species for which an open season may be declared by the department of land and natural resources for use as bait[.];
- (4) All persons may use nets of smaller mesh to take shrimp or opae, opelu, makiawa, or mikiawa[.];
- (5) Aquarium fish collectors with a valid aquarium fish permit issued by the department pursuant to section 188-31 may use nets of smaller mesh to take aquarium fish in conformance with the conditions of the permit[.];
- (6) All persons may use a net with mesh of not less than one and one-half inches to take akule; provided that no akule measuring less than eight and one-half inches in total length from the tip of the snout to the tip of the tail shall be taken with a net during the months of July, August, September, and October[.];
- (7) All persons engaged in surround net fishing with scuba, may use nets with mesh of not less than one and one-half inches only to bag and transport the fish captured with legal gear to the shore or the boat[.]; and
- (8) The length of a bullpen trap shall be subject to section 188-28.5."

SECTION 2. Section 188-30, Hawaii Revised Statutes, is amended to read as follows:

"§188-30 [Possession of fine meshed throw nets.] Fine meshed throw nets; possession; sale. (a) It is unlawful for any person who is in the water or on or about the shore where fish can be taken to have in his possession a throw net with a mesh of less than one and one-half inches stretched measure. After December 31, 1994, it shall be unlawful for any person who is in the water or on or about the shore where fish can be taken to have in his possession a throw net with a mesh of less than two inches stretched measure.

(b) After July 1, 1988, it shall be unlawful for any person to sell or to offer for sale any throw net with a mesh of less than two inches stretched measure."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 5, 1985.)