

ACT 210

H.B. NO. 2016-86

A Bill for an Act Relating to Fishing.

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

SECTION 1. Section 188-25, Hawaii Revised Statutes, is amended to read as follows:

“§188-25 Fishing with firearms, spears. (a) [It is unlawful for any person to] No person shall pursue, take, or kill any turtle, crustacean, mollusk, aquatic mammal, or fish [other than], except tuna and billfish that have been caught and gaffed and sharks, in the [waters of the] State with firearms as defined in section 134-1 [or to].

(b) No person shall pursue, take, or kill any crustacean (except introduced freshwater prawns), turtle, or aquatic mammal in the State with a spear.

[(b)] (c) Any crustacean, mollusk, aquatic mammal, or fish taken or killed or offered for sale in violation of this section shall be confiscated and offered as evidence. [For the purpose of this section, “spear-gun” means any artificial device used to propel a spear or spears by means of compressed air or gas, elastic, spring, or any motive power.]

[(c)] (d) [It is unlawful for any person to] No person shall take any fish by the use of spears, or [have in his possession] possess any speared fish which is smaller than the minimum size for fish specified in section 188-40 and any person violating this provision for the first time shall receive a citation. Any subsequent violation shall be punished as provided for¹ in section 188-70; provided that the first [such] subsequent violation shall be considered a first violation for the purpose of section 188-70.”

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 Statutory material to be repealed is bracketed.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

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

(Approved May 27, 1986.)

Note

1. "For" should be underscored.