

## ACT 12

H.B. NO. 3044

A Bill for an Act Relating to Fishing.

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

SECTION 1. Section 188-57, Hawaii Revised Statutes, is amended to read as follows:

**“§188-57 Certain crustaceans protected.** It is unlawful for any person to take, kill, sell, or offer for sale, or have in possession any Kona crabs[, spiny lobster (ula), or slipper lobster (ula-papapa),] taken from the waters within the jurisdiction of the State during the months of May, June, July, and August[.], or spiny lobster (ula), or slipper lobster (ula-papapa), taken from the waters within the jurisdiction of the State during the months of June, July, and August. The possession of any Kona crabs,[spiny lobster (ula), or slipper lobster (ula-papapa),] by any person during the months of May, June, July, and August, and the possession of any spiny lobster (ula), or slipper lobster (ula-papapa), by any person during the months of June, July, and August shall be prima facie evidence that the person is guilty of a violation of this section; provided that any dealer may sell, or any hotel or other public eating house may serve Kona crabs or

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lobsters lawfully caught during the open season by first procuring a license granting this privilege.

Licenses to sell or serve Kona crab [or lobster] during May, June, July, and August, or lobster during June, July, and August shall be issued by the department of land and natural resources upon the payment of \$5 by wholesale dealers, \$2.50 by retail markets and \$1 for any hotel or other class of restaurant; provided that each license holder shall submit a report to the department within five days after the end of each of the months on blanks furnished by the department, which report shall give the name of the person or firm from whom the Kona crabs or lobsters were purchased, to whom sold, the number and weight bought or sold and the number and weight on hand the first and last day of each month.

The department may revoke any license for any infraction of the terms and conditions of the license. Any person whose license has been revoked shall not be eligible to apply for another license until the expiration of one year from the date of revocation.”

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 Statutory material to be repealed is bracketed.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 April 6, 1990.)