
A BILL FOR AN ACT

RELATING TO FISHING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that night scuba
2 spearfishing could potentially deplete the ocean of aquatic
3 life, which is necessary for the preservation of Hawaii's ocean
4 environment and coral reefs. Most fish sleep at night and are
5 easy prey to scuba spearfishers. Many night scuba spearfishers
6 target larger fish, which subsequently reduces the mean size of
7 species left to be fished. This is a concern because the larger
8 fish lay more eggs, and the offspring of larger female fish are
9 healthier and have a better chance of survival than the
10 offspring of younger, smaller fish. Selective size-based
11 fishing is concerning to fishery managers because as mean fish
12 size decreases, reproductive output declines exponentially.

13 The purpose of this Act is to protect the State's
14 environment, aquatic species, and fishing stocks by prohibiting
15 scuba spearfishing at night.



1 SECTION 2. Chapter 188, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§188- Scuba spearfishing at night; prohibition. (a)
5 It is unlawful to conduct scuba spearfishing at night in state
6 marine waters for the purpose of taking aquatic life, except
7 under the terms and conditions of a permit first obtained by the
8 user from the department. The department may issue permits for
9 nighttime scuba spearfishing consistent with other legal
10 requirements.

11 (b) The department may revoke any permit for any
12 infraction of the terms and conditions of the permit. Any
13 person whose permit has been revoked shall not be eligible to
14 apply for another permit until the expiration of one year from
15 the date of revocation.

16 (c) The department shall adopt rules pursuant to chapter
17 91 necessary for the purposes of this section, including
18 enforcement of and exemptions to this section."

19 SECTION 3. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect on December 31,

3 2050.

4



Report Title:

Scuba; Spearfishing; Night; Prohibition; Aquatic Life

Description:

Prohibits scuba spearfishing at night for the purpose of taking aquatic life, except through a permit. Takes effect 12/31/2050.
(SD1)

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