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HB 2016, HD 1 RELATING TO FISHING

Statement for
Senate Committee on
Economic Development
Public Hearing - March 18, 1986

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HB 2016 proposes amendment of HRS 188-25, a section that deals with fishing with firearms and spears. This statement on the bill does not reflect an institutional position of the University of Hawaii.

The bill proposes certain editorial changes in HRS 188-25 as well as one substantive change. Subsection (a) of HRS 188-25 now prohibits taking fish and certain other marine animals by the use of firearms but exempts shark from the prohibition. The bill proposes to exempt, in addition, "tuna and billfish that have been caught and gaffed." The additional exemption may be considered appropriate although we doubt that safety is promoted by the use of firearms for this purpose.

We have some suggestions as to other amendments of HRS 188-25 that would seem appropriate.

- 1) We suggest that the present specification of individual kinds of marine animals to which the prohibition now applies (turtle, crustacean, mollusk, aquatic mammal, and fish) be replaced simply by "marine animals."
- 2) Noting that firearms, as defined by HRS 134-1 may include powerheads, and that the use of powerheads is advantageous in takings for scientific purposes, we suggest that takings for scientific purposes; under permit, be exempted from the prohibition against the use of firearms.
- 3) Noting that the prohibition in present subsection (c) (to be renumbered d) against spearing fish smaller than the minimum size specified in HRS 188-40 is already provided in the latter section, we suggest that the penalty provisions of subsection (c) (or d) be transferred to the latter section, and that subsection (c) (or d) be deleted from HRS 188-25.