

~~SECRET~~
PROPOSED PROTECTION FOR MARINE TURTLES

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Recognizing the fact that title to all wildlife belongs to the State in its sovereign capacity, and that the State holds this title in trust for the people of Hawaii, and that the State has a right and an obligation to protect, perpetuate and control wildlife within its boundaries, the following bill for an act relating to the protection of marine turtles is hereby proposed:

1. It shall be unlawful for any person to take, kill, possess, mutilate or in any way disturb any Leatherback (Dermochelys sp.) or Hawksbill (Eretmochelys sp.) in or from the territorial waters of the State of Hawaii, except as specified in section 7 of this act. 2 miles
2. It shall be unlawful for any person to take, kill, possess, mutilate or in any way disturb any green turtle (Chelonia sp.) in or from the territorial waters of the State of Hawaii which surround the Hawaiian Islands National Wildlife Refuge, except as specified in section 7 of this act. add Midway; Kure (and islets between)
3. It shall be unlawful for any person to take, kill, possess, mutilate or in any way disturb any green turtle in or from the territorial waters of the State of Hawaii which surround the major islands (Hawaii, Maui, Kahoolawe, Lanai, Molokai, Oahu, Kauai and Niihau) for purpose of resale.
4. It shall be unlawful for any person to import any marine turtle or part thereof into the State of Hawaii for purpose of resale.
5. It shall be unlawful to sell any marine turtle or part thereof, including the sale or serving of turtle-derived food products in restaurants or markets or elsewhere. (Green turtles may be used as food, without sale, when legally taken as outlined in section 6 of this act).
6. It shall be unlawful for any person to take, kill, possess, mutilate or in any way disturb any green turtle in or from the territorial waters of the State of Hawaii which surround the major islands, excepting green turtles having a straight line carapace measurement of more than thirty-four (34) inches that are taken under permit from the Division of Fish and Game, tagged, and reported to the Division within a time to be specified, or except as specified in section 7 of this act.
7. It shall be unlawful for any live marine turtle and eggs to be captured or held in captivity or transported within or across the boundaries of the State except by special permit which will be granted by the Division of Fish and Game only for educational or scientific purposes. The number of animals held for such purposes by any one person or institution shall not exceed that as deemed reasonable, prudent and necessary by the Division of Fish and Game.
8. Any officer or agent authorized by the Division of Fish and Game shall have authority to execute any warrant to search for and seize any animal or animal product held in violation of sections 1 through 7 of this act. Such material shall be held pending proceedings in any court of proper jurisdiction. Upon the conviction of any person charged with a violation of section 1 through 7 of this act the animal or animal product seized shall be forfeited and either released, offered to a recognized institution for scientific or educational purposes, or destroyed.
9. Any person convicted of violating any section of this act shall be fined not more than \$500 or imprisoned not more than 6 months or both.