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## A BILL FOR AN ACT

RELATING TO WILDLIFE.

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

1           SECTION 1. The legislature finds that the maintenance of  
2 sustainable public hunting opportunities for subsistence and  
3 recreational purposes is of critical importance to the State and  
4 its people. Game animals are food resources to many families in  
5 the State and should be recognized and protected for the value  
6 they provide.

7           Accordingly, the purpose of this Act is to:

- 8           (1) Prohibit the wanton waste of wildlife and establish  
9                 penalties for commission of the offense; and  
10           (2) Require the department of land and natural resources  
11                 to provide public notice prior to authorizing the  
12                 eradication or culling of wildlife.

13           SECTION 2. Chapter 183D, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16           "§183D-           Wanton waste of wildlife. (a) Except as  
17 otherwise provided by law, no person shall:



- 1        (1) Hunt or take, or solicit another person to hunt or  
2            take, wildlife and detach or remove only the head,  
3            hide, claws, teeth, antlers, horns, internal organs,  
4            or feathers with the intent to abandon the carcass or  
5            body;
- 6        (2) Intentionally abandon the carcass or body of taken  
7            wildlife; or
- 8        (3) Take and intentionally abandon wildlife.
- 9        (b) Subsection (a) shall not apply to any person:
- 10       (1) Authorized by the department to eradicate or cull  
11           wildlife;
- 12       (2) Authorized by a state agency to eradicate or cull  
13           wildlife pursuant to rules adopted by the agency in  
14           accordance with chapter 91; or
- 15       (3) Required to eradicate or cull wildlife pursuant to  
16           court order,
- 17       if retrieval of the wounded or dead wildlife is determined to be  
18       unsafe.
- 19       (c) Not less than two weeks prior to authorizing any  
20       person to eradicate or cull wildlife, the department shall  
21       provide public notice:



1       (1) Of the date, time, and location of the eradication or  
2       culling; and

3       (2) That the wildlife killed during the eradication or  
4       culling will be retrieved and made available to the  
5       public, except as provided in subsection (b).

6       The department shall issue the notice in accordance with section  
7       1-28.5 and publish the notice on its website.

8       (d) Any person violating subsection (a), in addition to  
9       penalties established under section 183D-5, shall be punished as  
10      follows:

11      (1) For a first or second conviction, by revocation and  
12      denial of the person's hunting license for not less  
13      than one year, at the discretion of the sentencing  
14      court; and

15      (2) For a third conviction, by permanent revocation and  
16      denial of the person's hunting license."

17           SECTION 3. Section 183D-5, Hawaii Revised Statutes, is  
18 amended by amending subsection (b) to read as follows:

19           "(b) Any person violating section 183D- (a), 183D-25.5,  
20 183D-26, 183D-27, 183D-32, 183D-62, or 183D-64 shall be guilty



1 of a misdemeanor, and upon conviction thereof, shall be punished  
2 as follows:

3 (1) For a first conviction by a mandatory fine of not less  
4 than \$200, or by imprisonment of not more than one  
5 year, or both;

6 (2) For a second conviction within five years of a  
7 previous conviction, by a mandatory fine of not less  
8 than \$1,000, or by imprisonment of not more than one  
9 year, or both, and all firearms used in the commission  
10 of the violations shall be considered contraband to be  
11 forfeited to and disposed of by the State; and

12 (3) For a third or subsequent conviction within five years  
13 of the first two or more convictions, by a mandatory  
14 fine of not less than \$2,000, or by imprisonment of  
15 not more than one year, or both, and all firearms used  
16 in the commission of the violations shall be  
17 considered contraband to be forfeited to and disposed  
18 of by the State."

19 SECTION 4. 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.



# H.B. NO. 1231

1 SECTION 5. New statutory material is underscored.  
2 SECTION 6. This Act shall take effect upon its approval.  
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INTRODUCED BY: Cindy Evans  
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John M. [Signature]  
JAN 28 2015



# H.B. NO. 1231

**Report Title:**

Wildlife; Wanton Waste; Penalties; DLNR; Notice

**Description:**

Prohibits wanton waste of wildlife and establishes penalties for commission of the offense. Provides exemptions from the offense for certain persons eradicating or culling wildlife if retrieval of the dead or injured wildlife is unsafe. Requires DLNR to provide public notice prior to authorizing the eradication or culling of wildlife.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

