

Act 35

S. B. NO. 76

A Bill for an Act Relating to Seizure and Forfeiture of Fishing and Hunting Gear.

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

SECTION 1. Section 187-16, Hawaii Revised Statutes, is amended to read:

“Section 187-16 Seizure and forfeiture of fishing and hunting gear. Any fishing or hunting gear used or possessed in violation of any of the provisions of chapters 187 through 192 and chapter 134, is declared to be a public nuisance and shall be subject to seizure by any fish and game agent of the department of land and natural resources or any police officer; and upon conviction of the person using or having possession of such gear for a violation of any provision of such chapters, the fishing or hunting gear may be declared by the court to be forfeited to the State. Any property so forfeited shall be turned over to the department, and all illegal gear shall be destroyed by the department and all legal gear sold at public auction in the judicial circuit in which it was seized, the auction to be held once annually at a place and time to be designated by the department and notice thereof to be published in a newspaper of general circulation within the judicial circuit at least once before the auction, the first publication to be not less than twenty days prior to the auction. The auction shall be conducted by a person other than an employee of the department but selected by the department.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 3, 1971.)

* Edited accordingly.