

A Bill for an Act to Amend Section 142-66, HRS, Relating to Trespass of Animals on Public Roads and Lands, and Section 142-70, HRS, Relating to Expenses, Driving, Etc.

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

SECTION 1. Section 142-66 hereof is hereby amended to read as follows:

“Sec. 142-66 On public roads, lands. If any animal mentioned in section 142-63 trespasses or strays on any of the government roads bounded on both sides by legal fence, or upon any government land which is not used for animal husbandry situated in the counties of Hawaii, Maui and Kauai and the City and County of Honolulu, any police officer or such person as may be thereunto authorized by ordinance of the councils of said counties and city and county, may take up the animal and impound the same as said councils shall provide. The owner of the animals so taken up or impounded shall pay to the police officer or such person as may be authorized fees as provided in section 142-70 hereof. In addition, if any damage is done by the animals to a government road or land or improvements thereon, the owner thereof shall further pay such amount as shall be fixed by the directors of finance of said counties or city and county. In case the charges and pound fees are not paid, the animals impounded shall be sold at public auction as provided by any ordinance relating thereto.”

SECTION 2. Section 142-70 hereof is hereby amended to read as follows:

“Sec. 142-70 Expenses, driving, etc. In all cases when animals are taken up for trespass, the actual expenses reasonably incurred, which shall include, but not be limited to allowances for employees' wages, equipment cost, transportation cost, feeding cost, cost of advertising notice, and other costs related to the catching, driving and conveying of animals, to be established by ordinance by the councils of the counties of Hawaii, Maui and Kauai and the City and County of Honolulu, in addition to forfeits and damages specified in the preceding sections of this part may be assessed against the owner of the animals.”

SECTION 3. Statutory material to be repealed is bracketed.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 4. This Act shall take effect upon its approval.

(Approved May 28, 1974.)

*Edited accordingly.