

JAN 18 2019

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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

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

1       SECTION 1.   Section 183D-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "**§183D-2   Powers and duties of department.**   The department  
4 shall[+], after considering the advice and recommendations of  
5 the game management advisory commission established pursuant to  
6 section 183D-4.5:

7           (1)   Manage and administer the wildlife and wildlife  
8               resources of the State;

9           (2)   Enforce all laws relating to the protecting, taking,  
10                hunting, killing, propagating, or increasing the  
11                wildlife within the State and the waters subject to  
12                its jurisdiction;

13          (3)   Establish and maintain wildlife propagating facility  
14                or facilities;

15          (4)   Subject to the provisions of title 12, import wildlife  
16                for the purpose of propagating and disseminating the



1 same in the State and the waters subject to its  
2 jurisdiction;

3 (5) Distribute, free of charge, as the department deems to  
4 be in the public interest, game for the purpose of  
5 increasing the food supply of the State; provided that  
6 when in the discretion of the department the public  
7 interest will not be materially interfered with by so  
8 doing, the department may propagate and furnish  
9 wildlife to private parties, upon such reasonable  
10 terms, conditions, and prices as the department may  
11 determine;

12 (6) Ascertain, compile, and disseminate, free of charge,  
13 information and advice as to the best methods of  
14 protecting, propagating, and distributing wildlife in  
15 the State and the waters subject to its jurisdiction;

16 (7) Gather and compile information and statistics  
17 concerning the area, location, character, and increase  
18 and decrease of wildlife in the State;

19 (8) Gather and compile information concerning wildlife  
20 recommended for release in different localities,  
21 including the care and propagation of wildlife for



1 protective, productive, and aesthetic purposes and  
2 other useful information, which the department deems  
3 proper;

4 (9) Have the power to manage and regulate all lands which  
5 may be set apart as game management areas, public  
6 hunting areas, and wildlife sanctuaries;

7 (10) Pursuant to section 183D-65 of this chapter, destroy  
8 predators deemed harmful to wildlife;

9 (11) Formulate, and from time to time recommend to the  
10 governor and legislature, such additional legislation  
11 necessary or desirable to implement the objectives of  
12 title 12; and

13 (12) Preserve, protect, and promote public hunting."

14 SECTION 2. Section 183D-3, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "§183D-3 Rules. Subject to chapter 91, and after  
17 considering the advice and recommendations of the game  
18 management advisory commission established pursuant to section  
19 183D-4.5, the department shall adopt, amend, and repeal rules:

20 (1) Concerning the preservation, protection, regulation,  
21 extension, and utilization of, and conditions for



1 entry into wildlife sanctuaries, game management  
2 areas, and public hunting areas designated by the  
3 department;

4 (2) Protecting, conserving, monitoring, propagating, and  
5 harvesting wildlife;

6 (3) Concerning size limits, bag limits, open and closed  
7 seasons, and specifications of hunting gear which may  
8 be used or possessed; and

9 (4) Setting fees for activities permitted under this  
10 chapter, unless otherwise provided for by law.

11 The rules may vary from county to county or in any part of the  
12 county and may specify certain days of the week or certain hours  
13 of the day in designating open seasons, except that any fees  
14 established by rule shall be the same for each county. All  
15 rules shall have the force and effect of law."

16 SECTION 3. Section 183D-4, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) to read as follows:

18 "(a) For the purposes of preserving, protecting,  
19 conserving, and propagating wildlife, the department shall,  
20 after considering the advice and recommendations from the game  
21 management advisory commission established pursuant to section



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1 183D-4.5, establish, maintain, manage, and operate game  
2 management areas, wildlife sanctuaries, and public hunting areas  
3 on land under its control and, as it deems desirable, enter into  
4 agreements for taking control of privately owned lands for those  
5 purposes."

6 SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.  
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INTRODUCED BY: \_\_\_\_\_

*M. J. Hoff*  
**By Request**



# S.B. NO. 323

**Report Title:**

Department of Land and Natural Resources; Game Management  
Advisory Commission

**Description:**

Requires the department of land and natural resources to consider the advice and recommendations of the game management advisory commission in carrying out its duties and powers; adopting, amending, or repealing rules; and in its managements of game areas, wildlife sanctuaries, and public hunting areas.

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