JAN 2 7 2021

A BILL FOR AN ACT

RELATING TO FISHING.

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

- 1 SECTION 1. Chapter 188, Hawaii Revised Statutes, is 2 amended by adding a new section to be appropriately designated 3 and to read as follows: 4 "§188- Administrative inspections. (a) Notwithstanding 5 section 199-7(a) to the contrary, any police officer or 6 conservation and resources officer of the department of land and 7 natural resources shall have the authority to conduct 8 administrative inspections for the purpose of enforcing this 9 chapter. 10 In conducting an administrative inspection pursuant to (b) 11 this section, a police officer or conservation and resources 12 officer of the department of land and natural resources shall 13 have the authority, without a search warrant, to:
- 14 Board, inspect, or search any boat, market, store, or (1) 15 other building, except dwelling, and all receptacles, 16 except clothing actually worn by a person at the time 17 of the administrative inspection, where or in which

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1		any aquatic life subject to this chapter may be
2		stored, placed, or held for sale or storage; and
3	(2)	Inspect or search any box or package containing any
4	:	aquatic life subject to this chapter that is held for
5		transportation by any common carrier.
6	(c)	The authority to conduct an administrative inspection
7	pursuant to	o this section without a search warrant shall be
8	limited to	circumstances in which the police officer or
9	conservation	on and resources officer of the department of land and
10	natural resources has reason to believe that any aquatic life	
11	subject to	this chapter is taken or held for sale, storage, or
12	transporta	tion in violation of this chapter or any rules adopted
13	pursuant to	o this chapter."
14	SECTIO	ON 2. This Act does not affect rights and duties that
15	matured, penalties that were incurred, and proceedings that were	
16	begun befor	re its effective date.
17	SECTIO	ON 3. New statutory material is underscored.
18	SECTIO	ON 4. This Act shall take effect upon its approval.
19		\circ \circ \circ
		INTRODUCED BY:

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Report Title:

Fishing; Administrative Inspections; Enforcement of Fishing Regulations; Conservation and Resources Officers

Description:

Authorizes a police officer or conservation and resources officer of the department of land and natural resources to conduct an administrative inspection, without a search warrant, if the law enforcement officer has reason to believe that certain aquatic life is taken or held for sale, storage, or transportation in violation of the laws relating to fishing rights and regulations.

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