

ACT 156

H.B. NO. 534

A Bill for an Act Relating to Night Hunting.

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

SECTION 1. Section 183D-27, Hawaii Revised Statutes, is amended to read as follows:

“§183D-27 Night hunting on private lands; prohibition. Notwithstanding section 183D-26, no person shall take or pursue any game bird, game mammal, wild bird, or wild mammal at night on privately owned lands[.], except as authorized by the department pursuant to section 183D-61. For the purpose of this section, “night” means the period between one-half hour after sunset and one-half hour before sunrise.”

SECTION 2. Section 183D-61, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) [The] Notwithstanding the provisions contained in this chapter, the department may adopt rules pursuant to chapter 91:

- (1) Authorizing the taking and collecting of wild birds, game birds, and game mammals for scientific and educational purposes, or for the purpose of distributing wild birds to different localities in the State pursuant to this title;
- (2) Authorizing the keeping of wild birds in captivity for the protection, treatment for injury or disease, propagation, and [such] other similar purposes [as are] consistent with the preservation, protection, and conservation of wild birds;
- (3) Authorizing the taking and destruction of those wild birds, game birds, and game mammals the department may have found after investigation to be destructive to crops or to other game birds and game mammals or otherwise harmful to agriculture or aquaculture, or to constitute a nuisance or a health hazard; or
- (4) Authorizing without requiring permits or reports, the destruction within a district of wild birds, game birds, and game mammals which are generally destructive to crops or otherwise harmful to agriculture or aquaculture, or constitute a nuisance or a health hazard within the district.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 5, 1987.)