

ACT 186

S.B. NO. 288

A Bill for an Act Relating to Hunters and Fishermen.

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

SECTION 1. Chapter 183D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§183D- Harassment of hunters; prohibition. (a) No person shall intentionally prevent or attempt to prevent the lawful taking of game by a person licensed pursuant to section 183D-21 by:

- (1) Placing the person’s self in a location in which human presence may affect the behavior of game to be taken or the feasibility of taking such game;
- (2) Creating a visual, aural, olfactory, or physical stimulus to affect the behavior of game to be taken;
- (3) Affecting the condition or placement of personal property intended for use in the taking; or

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(4) Obstructing the person's access to areas in which the person intends to lawfully take game.

(b) No person shall enter or remain upon public lands or waters, or upon private lands or waters, without permission of the owner or the owner's agent, with intent to violate this section.

(c) The maximum penalty for violation of subsection (a) or (b) is a fine of \$500, thirty days imprisonment, or both."

SECTION 2. Chapter 188, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§188- Harassment of fishermen; prohibition. (a) No person shall intentionally prevent or attempt to prevent the lawful taking of fish by a person licensed pursuant to section 188-50 by:

(1) Placing the person's self in a location in which human presence may affect the behavior of fish to be taken or the feasibility of taking such fish;

(2) Creating a visual, aural, olfactory, or physical stimulus to affect the behavior of fish to be taken;

(3) Affecting the condition or placement of personal property intended for use in the taking; or

(4) Obstructing the person's access to areas in which the person intends to lawfully take fish.

(b) No person shall enter or remain upon public lands or waters, or upon private lands or waters, without permission of the owner or the owner's agent, with intent to violate this section.

(c) The maximum penalty for violation of subsection (a) or (b) is a fine of \$500, thirty days imprisonment, or both."

SECTION 3. New statutory material is underscored.¹

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

(Approved June 15, 1995.)

Note

1. Edited pursuant to HRS §23G-16.5.