

ACT 224

H.B. NO. 797

A Bill for an Act Relating to Outdoor Recreation.

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

SECTION 1. Section 183D-22, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A hunting license shall be issued to a person by an agent of the department upon:

- (1) Written application in the form prescribed by the department;
- (2) Payment of a hunting license fee or any other hunting related fee the board may require as provided in this chapter; except that payment of the fee shall be waived for any employee of the department who is required to have a license to carry out duties of the department; and
- (3) Showing of a valid Hawaii hunter education certificate or written exemption issued under section 183D-28[.] or upon showing proof of completion of an approved hunter education course described in section 183D-28(b)(2).

The application shall require a statement under oath of the applicant’s name, address, domicile or residence, length of residence in the State, age, race, height, weight, and color of hair and eyes.”

SECTION 2. Section 183D-28, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) A person who meets the minimum age requirements adopted pursuant to subsection (c) shall be exempt from the requirements of subsection (a) if the person:

- (1) Was born before January 1, 1972, and at one time possessed a hunting license issued by the State; provided that the person shows satisfactory proof to the department that the person had possessed the hunting license; or
- (2) Has successfully completed a course or program of hunter education and safety which is approved by the International Hunter Education Association and meets the requirements of chapter 12 of the United States Fish and Wildlife Service Federal Aid Manual, as revised; provided that the person shows satisfactory proof [to the department] in the form of a certificate, wallet card, or other document issued by a state [or], province or country [agency] evidencing successful completion of the course or program.

Upon application and satisfaction of the requirements of [either paragraphs] paragraph (1) [or (2)], the department shall issue a written exemption which shall be valid for the life of the person. The department shall develop and maintain a list of approved hunter education courses described in paragraph (2) for reference by the public and license agents.”

SECTION 3. Section 183D-34, Hawaii Revised Statutes, is amended to read as follows:

“§183D-34 Private and commercial shooting preserve and farmer’s license. (a) For the purpose of encouraging private and commercial shooting preserves, game bird farming, and the domestication and propagation of game birds, a license authorizing the licensee to engage in the business of conducting a private and commercial shooting game preserve, or breeding and selling game birds, as limited in this section, shall be issued by the department, pursuant to rules as may be adopted by the department, to any responsible resident person duly applying therefor. The licenses shall expire on June 30 of each year.

(b) Any other law to the contrary notwithstanding, a commercial or private shooting preserve licensee may permit a nonresident hunter to take game birds that are the exclusive property of the private or commercial shooting preserve, pursuant to section 183D-41, on a designated shooting preserve, without a hunting license as required by section 183D-21; provided that the nonresident hunter has been issued, and is in possession of, a valid hunting license issued within the previous five years by [the nonresident hunter’s state or Canadian province of residence] any other state or country, or proof of having completed a hunter education training course. The department may adopt rules to administer this subsection. The licensee shall include, in each quarterly report required under section 183D-39, additional information on the number of nonresident hunters exempted from section 183D-21 under this subsection, the number of hunting days per unlicensed nonresident hunter, and the amount of fees collected. The information shall be on a form or in a format as may be prescribed by the department. The department may require the licensee to provide any other information that it deems necessary.

(c) The fee for private and commercial shooting preserve and farmer’s licenses shall be set by the department; provided that the department may authorize any governmental agency to breed and sell game birds and may authorize any person to possess lawfully obtained game birds. In addition to any other applicable fees, private and commercial shooting preserve licensees shall remit, with their quarterly report, a fee equal to the current nonresident hunting license fee, as established in section 183D-22(b)(2), per each nonresident hunter exempted from the licensing requirement under subsection (b); provided that for each nonresident hunter who participates in one day or less of hunting during a calendar year, the fee shall be fifty per cent of the current nonresident hunting license fee. The fees collected under this subsection shall be deposited into the wildlife revolving fund.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved July 2, 1999.)