
A BILL FOR AN ACT

RELATED TO HARASSMENT.

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

1 SECTION 1. Section 188-71, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No person shall intentionally prevent or attempt to
4 prevent the lawful taking of fish by a person permitted pursuant
5 to section 188-31, licensed pursuant to section 188-50, or
6 fishing in marine waters within the State's jurisdiction by:

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

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

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

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

16 SECTION 2. Section 199-3, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:



1 "(a) The conservation and resources enforcement officers,
2 with respect to all state lands, including public lands, state
3 parks, forest reserves, forests, aquatic life and wildlife
4 areas, Kaho'olawe island reserve, and any other lands and waters
5 within the State, shall:

6 (1) Enforce title 12, chapters 6D, 6E, and 6K, and rules
7 adopted thereunder;

8 (2) Investigate complaints, gather evidence, conduct
9 investigations, and conduct field observations and
10 inspections as required or assigned;

11 (3) Cooperate with enforcement authorities of the State,
12 counties, and federal government in development of
13 programs and mutual aid agreements for conservation
14 and resources enforcement activities within the State;

15 (4) Cooperate with established search and rescue agencies
16 of the counties and the federal government in
17 developing plans and programs and mutual aid
18 agreements for search and rescue activities within the
19 State;



- 1 (5) Check and verify all leases, permits, and licenses
2 issued by the department of land and natural
3 resources;
- 4 (6) Enforce the laws relating to firearms, ammunition, and
5 dangerous weapons contained in chapter 134;
- 6 (7) Enforce the laws in chapter 291E relating to operating
7 a vessel on or in the waters of the State while using
8 intoxicants;
- 9 (8) Enforce the laws relating to harassment, specifically,
10 criminal harassment pursuant to section 711-1106,
11 hunter harassment pursuant to section 183D-27.5, and
12 harassment of fishermen pursuant to section 188-71;
- 13 ~~(8)~~ (9) Whether through a specifically designated marine
14 patrol or otherwise, enforce the rules in the areas of
15 boating safety, conservation, and search and rescue
16 relative to the control and management of boating
17 facilities owned or controlled by the State, ocean
18 waters, and navigable streams and any activities
19 thereon or therein, and beaches encumbered with
20 easements in favor of the public, and the rules



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1 regulating vessels and their use in the waters of the
 2 State; and
 3 ~~[-9-]~~ (10) Carry out other duties and responsibilities as
 4 the board of land and natural resources from time to
 5 time may direct."

6 SECTION 3. This Act does not affect rights and duties that
 7 matured, penalties that were incurred, and proceedings that were
 8 begun before its effective date.

9 SECTION 4. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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[Signature]

JAN 23 2015



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Report Title:

Harassment of Fishermen

Description:

Prohibits the harassment of persons marine fishing and aquarium fishing. Specifically includes the enforcement of harassment as a duty of a conservation and resources enforcement officer.

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