

STATE OF HAWAII
Department of Land and Natural Resources

December 11, 2009

Attachment 7

As amended after public hearings

Proposed amendments to Chapter 13-121,
Hawaii Administrative Rules Regulating the hunting of wildlife on
public lands and other lands.

**Department of Land and Natural Resources
Division of Forestry and Wildlife**

**Amendments to Chapter 13-121
Hawaii Administrative Rules**

1. Section 13-121-2, Hawaii Administrative Rules, is amended by adding a new definition to read as follows:

"Public shooting range" means an area designated by the board as a location where activities related to target archery and firearms shooting may be conducted. [Eff.] (Auth: HRS §183D-28) (Imp: HRS §183D-28)

2. Section-13-121-5, Hawaii Administrative Rules, is amended to read as follows:

§13-121-5 Penalty. Any person violating any of the provisions of these rules shall be penalized accordingly as provided in sections [187-20] 171-6.4, 171-31.6, 191-3, 191-6, 191-10, 191-13, 191-16, 191-21, 191-23, or 195D-9, Hawaii Revised Statutes. [Eff. SEP 28 1981; am] (Auth: HRS §§171-6.4, 171-31.6, 183-2, 191-9, 191-21, 191-22, 195D-3, 195D-6) (Imp: HRS §§191-3, 191-6, 191-10, 191-13, 191-16, 191-21, 191-23, 195D-9)

3. Chapter 13-121, Hawaii Administrative Rules, is amended by adding a new section 13-121-6 to read as follows:

§13-121-6 Public shooting ranges.

(a) The department shall have the authority to negotiate and enter into agreements, concessions, or leases with an individual, private business, concessionaire, nonprofit entity or other public or private organization to manage and operate public shooting ranges as may be authorized under Hawaii Revised Statute 183D-28.

(b) The department or its designated representative may set criteria for the use of public shooting ranges to provide for hunting and shooting safety, education and training, public safety, and public recreation.

(c) Notwithstanding prohibitions established in §§13-122 and 13-123, Hawaii Administrative Rules, when using a public shooting range, authorized firearms or equipment may include all legally possessed and used firearms, hunting equipment, and ammunition, except as prohibited under this section.

(d) The following activities are prohibited within public shooting ranges unless authorized by the board or its authorized representative:

- (1) Hunting, including animal control activities;
- (2) Camping;
- (3) The use or possession of [~~any narcotics or~~ alcohol;
- (4) The use or possession of any incendiary devices or any other explosive devices;
- (5) The building of any fire on the ground or in any structure;
- (6) The introduction or accompaniment of any animals such as cats or other pets; and
- ~~[(7) The use of any firearms or equipment prohibited by any other statute.]~~

[Eff _____] (Auth: HRS §§134-8, 134-16, 171-6, 171-13, 171-35, 171-36, 183-2, 183D-28) (Imp: HRS §183D-28)

4. Material, except source notes, to be repealed is bracketed. New material is underscored.

5. Additions to update source notes to reflect these amendments are not underscored.

6. These amendments to chapter 13-121, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____, and filed with the Office of the Lieutenant Governor.

LAURA H. THIELEN
Chairperson
Board of Land and Natural Resources

APPROVED FOR PUBLIC HEARING:

Deputy Attorney General