

JAN 26 2022

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# A BILL FOR AN ACT

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RELATING TO FERAL PIG CONTROL PERMITS.

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

1       SECTION 1. The legislature finds that residents of Hawaii,  
2 especially those living in rural areas, should be allowed to  
3 protect their property from wildlife that can damage property  
4 and endanger persons. Destructive or dangerous wildlife,  
5 particularly feral pigs, pose a threat to crops, indigenous  
6 plants and wildlife, and are often hazardous to human health and  
7 safety.

8       The legislature further finds that, the process for  
9 acquiring the necessary permits to eradicate feral pigs on  
10 private property is often difficult and cumbersome. Creating an  
11 expedited process for acquiring permits to eradicate feral pigs  
12 would better allow landowners to protect their property and  
13 persons.

14       The purpose of this Act is to codify an expedited process  
15 for acquiring permits to eradicate feral pigs on private  
16 property.



SECTION 2. Section 183D-61, Hawaii Revised Statutes, is amended to read as follows:

"§183D-61 Permits to take wild birds, game birds, and game mammals. (a) 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 other similar purposes 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~~



1       ~~(4) Authorizing without requiring permits or reports, the~~  
2       ~~destruction within a district of wild birds, game~~  
3       ~~birds, and game mammals which are generally~~  
4       ~~destructive to crops or otherwise harmful to~~  
5       ~~agriculture or aquaculture, or constitute a nuisance~~  
6       ~~or a health hazard within the district].~~

7       (b) The department shall issue permits for the destruction  
8       or control of feral pigs that have caused or are likely to cause  
9       substantial damage to privately owned land, agricultural or  
10      aquacultural crops, indigenous plants or wildlife, or that pose  
11      a threat to human health and safety; provided that:

12      (1) No permit or report shall be required to destroy or  
13      control feral pigs on privately owned land when the  
14      landowner is otherwise in compliance with department  
15      rules adopted pursuant to section 183D-3;

16      (2) An authorized agent of the department shall  
17      investigate a complaint regarding feral pigs that have  
18      caused or are likely to cause substantial damage to  
19      privately owned land and, if the authorized agent is  
20      satisfied that substantial damage has occurred or is  
21      likely to occur, a permit shall be granted;



1        (3) An authorized agent shall have no more than ninety  
2        days to investigate the complaint and issue the permit  
3        or notify the applicant why the permit was not issued  
4        after the complaint has been made;

5        (4) Applicants may appeal the decision of the authorized  
6        agent to the department if the permit is not issued  
7        within ninety days;

8        (5) Permits shall state the species and may specify the  
9        number to be destroyed and the method of control to be  
10       used; and

11       (6) Permits may include other terms and conditions as the  
12       department deems to be necessary and appropriate.

13       (c) The department shall authorize, without requiring  
14 permits or reports, the destruction or control of feral pigs in  
15 a given area which are generally destructive to crops or  
16 otherwise harmful to agriculture or aquaculture, or constitute a  
17 nuisance or a health hazard in that area.

18       ~~[(b)]~~ (d) Except as provided in ~~[subsection (a)(4),]~~  
19 subsections (b) and (c) the rules shall require the person or  
20 persons seeking authority to apply for and obtain a written  
21 permit from the department. The permits may prescribe terms and



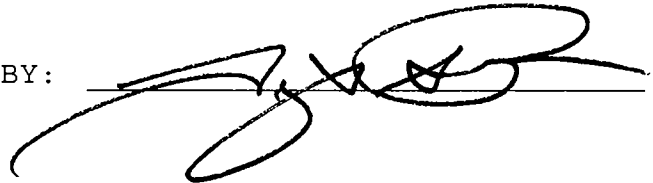
1 conditions the department deems necessary to prevent abuse of  
2 the authority granted thereby, and may be canceled by the  
3 department, after notice and hearing, for the violation of any  
4 term or condition."

5 SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_

A large, stylized handwritten signature in black ink, written over a horizontal line.

**Report Title:**

Wildlife Control Permits; Department of Land and Natural Resources; Feral Pigs

**Description:**

Codifies certain administrative rules of the Department of Land and Natural Resources regarding permits to destroy or control harmful feral pigs.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

