

ACT 108

S.B. NO. 3076

A Bill for an Act Relating to Coqui Frogs.

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

SECTION 1. Section 141-3, Hawaii Revised Statutes, is amended to read as follows:

“§141-3 Designation of pests; control or eradication of pests; emergency power. (a) The department of agriculture shall establish designate the coqui frog as a pest. All other pest designations shall be established by rule, including the criteria and procedures for the designation of pests for control or eradication.

(b) The department of agriculture shall, so far as reasonably practicable, assist, free of cost to individuals, in the control or eradication of insects, mites,

diseases, noxious weeds, or other pests injurious to the environment or vegetation of value; and in the investigation, suppression, and eradication of contagious, infectious, and communicable diseases among domestic animals; and shall in like manner distribute to points where needed, beneficial insects, or pathogens and other antidotes for the control of insects, mites ~~[and]~~, diseases, or other pests injurious to the environment or vegetation of value, and for the control or eradication of vegetation of a noxious character.

(c) Notwithstanding subsection (a), if the department finds the incipient infestation of a pest that has an adverse effect on the environment or that is injurious or deleterious or that is likely to become injurious or deleterious to the agricultural, horticultural, aquacultural, or livestock industries of the State without immediate action, it may proceed without prior notice or upon a minimum of forty-eight hours notice and hearing to adopt an emergency rule for the eradication of the pest to be effective for a period of not longer than one hundred eighty days without renewal.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 18, 2006.)