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# A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

1           SECTION 1. The legislature finds that the coconut  
2 rhinoceros beetle can have devastating impacts on palm species  
3 that are foundational to the State's agricultural economy,  
4 cultural heritage, and ecosystems. The use of fine meshed nets  
5 can be an effective means of preventing adult coconut rhinoceros  
6 beetles from accessing vulnerable plants, effectively mitigating  
7 their impact on local plants and the environment. Additionally,  
8 fine mesh netting, meant for non-aquatic usage, is a regulated  
9 device for pest control under the Federal Insecticide,  
10 Fungicide, and Rodenticide Act, title 7 United States Code  
11 section 136.

12           The legislature further finds that even though Act 184,  
13 Session Laws of Hawaii 2024, authorizes the department of  
14 agriculture and biosecurity to adopt rules for the use of banned  
15 monofilament netting, such power is only extended for bird  
16 keeping. The legislature is concerned that, due to this  
17 limiting authority, the ability of the department to adopt rules



1 to allow for the sale of monofilament netting for coconut  
2 rhinoceros beetle interdiction may be thwarted.

3 Accordingly, the purpose of this Act is to:

4 (1) Allow for the use of monofilament netting for purposes  
5 of protecting plants against invasive species under  
6 certain conditions;

7 (2) Subject fine mesh nets, including certain monofilament  
8 netting, to certain federal and state requirements;  
9 and

10 (3) Require the department of agriculture and biosecurity  
11 to establish rules allowing the sale and distribution  
12 of fine mesh nets, including certain monofilament  
13 netting, in the State to protect plants from the  
14 coconut rhinoceros beetle.

15 SECTION 2. Section 141-17, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "[+]§141-17[+] **Fine meshed nets; invasive species;**  
18 **permissible; rules.** (a) Notwithstanding any other law to the  
19 contrary, fine meshed nets, including monofilament netting of an  
20 appropriate mesh size, may be used for the protection of plants  
21 against invasive species, as determined by the department of



1 agriculture and biosecurity; provided that the fine meshed nets  
2 shall be applied in a manner that is unlikely to entangle birds,  
3 become dislodged and enter water, or entangle or disturb native  
4 and beneficial animals, including but not limited to  
5 pollinators, ladybugs or lady beetles, and net-winged insects.

6 (b) Fine meshed nets, including monofilament netting of an  
7 appropriate mesh size, that are regulated under the Federal  
8 Insecticide, Fungicide, and Rodenticide Act shall be subject to  
9 the requirements of title 40 Code of Federal Regulations part  
10 152.500. The department of agriculture and biosecurity's  
11 pesticides branch shall approve a fine meshed net, including a  
12 monofilament netting of an appropriate mesh size, if the net  
13 meets the requirements of chapter 460J.

14 ~~[(b)]~~ (c) The department of agriculture and biosecurity  
15 shall adopt rules in accordance with chapter 91 to implement  
16 this section, including but not limited to establishing  
17 requirements related to filament diameter, color, and the  
18 inclusion of visual cues to prevent non-targeted entanglement  
19 ~~[and]~~; prohibiting the use of mist net material [that is used]  
20 designed for bird work[-]; and allowing the distribution and  
21 sale of fine mesh nets, including monofilament netting of an



1 appropriate mesh size, for the sole purpose of protecting plants  
2 from the coconut rhinoceros beetle (Oryctes rhinoceros)."

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

5 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

DAB; Rules; Fine Mesh Nets; Monofilament Netting; Coconut  
Rhinoceros Beetle

**Description:**

Allows the use of certain monofilament netting for the protection of plants against invasive species. Subjects fine mesh nets, including certain monofilament netting, to certain federal and state requirements. Requires the Department of Agriculture and Biosecurity to establish rules allowing the sale and distribution of fine mesh nets, including monofilament netting, in the State to protect plants from the coconut rhinoceros beetle. Effective 7/1/3000. (HD1)

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