

ACT 149

H.B. NO. 2149-82

A Bill for an Act Relating to Brands and Amending Section 142-41, Hawaii Revised Statutes.

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

SECTION 1. Section 142-41, Hawaii Revised Statutes, is amended to read:
“**§142-41 Brands to be recorded, etc.** Every owner of livestock in the State shall have his brand or mark, in order to secure its validity and individuality, recorded in a separate book kept for that purpose by the department of agriculture to be known as the “Hawaii Brand Book.” No brand or mark shall be recorded which may be similar or approximate in design to any brand or mark which has been previously recorded. The fee for each application for registration shall be [\$1.]

established by rule adopted pursuant to chapter 91. The application may be made directly to the department, through its duly authorized agents, or through any duly authorized police officer. The chief of police of the respective counties shall authorize police officers to receive applications for registration of brands under this section. All moneys so received shall be paid to the director of finance. A signed and dated receipt shall be issued for each paid application. All applications shall be promptly forwarded to the department. If it is determined that the application seeks the registration of a brand which either has not already been recorded by another person or is not similar in design to any other previously recorded brand which has not expired, then a certificate showing that such brand or mark has been duly recorded shall be issued forthwith to the applicant. No record shall be made of any ear mark, except only as supplemental identification of a brand. Numerals from 1 to 9 and 0, not used in combination or with symbols, as a brand, shall not be subject to preemptive use but shall be the common property of all persons."

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 Statutory material to be repealed is bracketed.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

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

(Approved May 28, 1982.)