

ACT 99

H.B. NO. 115

A Bill for an Act Relating to the Department of Agriculture.

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

SECTION 1. Section 148-3, Hawaii Revised Statutes, is amended to read as follows:

“§148-3 Duties of chairman; violations; proceedings; penalties. The chairman [of the board of agriculture] shall enforce this part and any [rules or regulations] rule made by the department [of agriculture].

The following penalties and remedies shall apply in instances of violations of this part or the rules [and regulations] issued by the department:

- (1) Violation of this part or of any [rules or regulations] rule issued thereunder is declared a public nuisance and may be enjoined or abated[.]; and
- (2) Every person who violates this part or any rule [or regulation] issued thereunder shall, [upon conviction thereof, be punished by a fine of] after notice and opportunity for hearing, be fined not less than \$50 nor more than \$500. Each day a violation continues shall constitute a separate offense. Any action taken to impose or collect the penalty provided for in this section shall be considered a civil action.

The penalties and remedies prescribed in this part shall be concurrent and alternative with any and all other civil, criminal, or alternative rights, remedies or penalties provided by law.”

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 Statutory material to be repealed is bracketed.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

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

(Approved May 14, 1985.)