H.B. NO. 1855

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A BILL FOR AN ACT

RELATING TO GENETIC ENGINEERING.

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

1	SECTION 1. The Hawaii Revised Statutes is amended by
2	adding a new chapter to be appropriately designated and to read
3	as follows:
4	"CHAPTER
5	GENETIC ENGINEERING OF NON-FOOD MATERIALS
6	§ -1 Definitions. Whenever used in this chapter:
7	"Animal feed" means an article intended for use as a food
8	for animals and not for humans as a source of nutrients in the
9	diet of the animal. The term is not limited to a mixture
10	intended to be the sole ration of the animal.
11	"Food" means consumable material used for food or drink for
12	humans, chewing gum, and items used for components of any such
13	consumable material.
14	"Genetic engineering" means the artificial insertion of
15	foreign genetic material into an organism.
16	§ -2 General powers. The department of agriculture may:



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1	(1)	Regulate the genetic engineering of non-food
2		materials;
3	(2)	Investigate all matters relating to genetic
4		engineering of non-food materials; and
5	(3)	Adopt rules in accordance with chapter 91 necessary to
6		carry out this chapter and enforce all rules.
7	\$	-3 Prohibition. The following acts shall be
8	prohibite	d:
9	(1)	The genetic engineering of drugs, industrial
10		chemicals, or other non-food materials into crops or
11		livestock normally used as food or animal feed; and
12	(2)	The production, transport, or release in the State of
13		food or animal feed crops or livestock genetically
14		engineered to contain or produce drugs, industrial
15		chemicals, or other non-food materials.
16	S	-4 Remedies; criminal and civil penalties. (a) The
17	board of	agriculture may institute any action that may be
18	necessary	to enforce compliance with this chapter.
19	(b)	Any person who violates this chapter shall be guilty
20	of a misd	emeanor; provided that any fine imposed shall be not
21	less than	\$250 or more than \$1,000.

(c) The board of agriculture, after notice and opportunity 1 for hearing, may fine any person who violates this chapter or 2 any rule adopted under this chapter, not less than \$250 or more 3 than \$1,000 for each separate offense. Any action taken to 4 impose or collect the penalty provided for in this subsection 5 shall be considered a civil action." 6

7 SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY: <u>LC:FIC Caldwell</u>

IAN 2 4 2007



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Report Title:

Genetic Engineering; Non-food Materials; Prohibition

Description:

Prohibits the use of food crops for the genetic engineering of drugs, industrial chemicals, and other non-good materials.

