
A BILL FOR AN ACT

RELATING TO AQUACULTURE.

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

1 SECTION 1. The purpose of this Act is to streamline the
2 State's aquaculture program as follows:

3 (1) Repealing the jurisdiction of the department of
4 agriculture over the marketing and promotion of
5 aquaculture;

6 (2) Retaining the jurisdiction of the department of
7 agriculture over diagnostic services and disease
8 management related to aquaculture;

9 (2) Authorizing the department of land and natural
10 resources to assume jurisdiction over the marketing
11 and promotion of aquaculture; and

12 (3) Repealing the aquaculture development special fund.

13 SECTION 2. Chapter 187A, Hawaii Revised Statutes, is
14 amended by adding two new sections to part I to be appropriately
15 designated and to read as follows:

16 "§187A-A Aquaculture program. (a) The board may develop
17 an aquaculture program to include but not be limited to the
18 following:



- 1 (1) Maintaining cognizance of actions taken by industry
2 and by federal, state, county, and private agencies in
3 activities relating to aquaculture, and promote and
4 support worthwhile aquaculture activities;
- 5 (2) Serving as an information clearinghouse for
6 aquaculture activities;
- 7 (3) Actively seeking federal funding for promoting
8 aquaculture activities;
- 9 (5) Undertaking activities required to develop and expand
10 the aquaculture industry; and
- 11 (6) Performing such other functions and activities as may
12 be assigned by law.

13 (b) The chairperson of the board may employ temporary
14 staff exempt from chapter 76.

15 §187A-B Fees for aquaculture planning and the marketing of
16 seafood products. The board may establish and assess fees
17 pursuant to chapter 91 for any items or expert services
18 purchased from the department related to aquaculture planning
19 and the marketing of seafood products; provided that the
20 assessment of these fees does not violate any other provision of
21 this chapter. Fees collected under this section shall be
22 deposited into the general fund."



1 SECTION 3. Section 141-2.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established within the department an
4 aquaculture program that shall:

5 ~~[-(1) Maintain cognizance of actions taken by industry and
6 by federal, state, county, and private agencies in
7 activities relating to aquaculture, and promote and
8 support worthwhile aquaculture activities;~~

9 ~~[-(2) Serve as an information clearinghouse for aquaculture
10 activities;~~

11 ~~[-(3) Coordinate development projects to investigate]~~

12 (1) Investigate and solve biological and technical
13 problems involved in raising selected species with
14 commercial potential;

15 ~~[-(4)]~~ (2) Actively seek federal funding for aquaculture
16 activities [✓] related to diagnostic services, disease
17 management, or related activities; and

18 ~~[-(5) Undertake activities required to develop and expand
19 the aquaculture industry; and~~

20 ~~[-(6)]~~ (3) Perform such other functions and activities as
21 may be assigned by law."



1 SECTION 5. Section 141-2.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~+~~]~~§141-2.6~~[~~+~~] Fees for [~~aquaculture~~] aquatic diagnostic
4 services[~~-~~] and disease management. The department of
5 agriculture may establish and assess fees pursuant to chapter 91
6 for:

7 (1) Aquatic animal and plant health diagnostic services;
8 and

9 (2) Any items or expert services purchased from the
10 department related to [~~aquaculture planning,~~] disease
11 management [~~, and the marketing of seafood products~~];

12 provided that the assessment of these fees does not violate any
13 other provision of this chapter. Fees collected under this
14 section shall be deposited into the general fund."

15 SECTION 6. Section 141-2.7, Hawaii Revised Statutes, is
16 repealed.

17 [~~§141-2.7~~] ~~Aquaculture development special fund.~~ (a)
18 ~~There is established in the state treasury the aquaculture~~
19 ~~development special fund into which shall be deposited:~~

20 (1) ~~Appropriations from the legislature;~~



1 ~~(2) Moneys collected as fees for special microbiological~~
2 ~~and histological procedures and expert aquaculture-~~
3 ~~related services;~~

4 ~~(3) Moneys collected from the sale of any item related to~~
5 ~~aquaculture development that is purchased from the~~
6 ~~department;~~

7 ~~(4) Moneys directed to the aquaculture development program~~
8 ~~from any other sources, including but not limited to~~
9 ~~grants, gifts, and awards; and~~

10 ~~(5) Moneys derived from interest, dividend, or other~~
11 ~~income from the above sources.~~

12 ~~(b) Moneys in the aquaculture development special fund~~
13 ~~shall be used to:~~

14 ~~(1) Implement the aquatic disease management programs and~~
15 ~~activities of the department, including provision of~~
16 ~~state funds to match federal grants; and~~

17 ~~(2) Support research and development programs and~~
18 ~~activities relating to the expansion of the state~~
19 ~~aquaculture industry. Research and development~~
20 ~~programs and activities funded under this paragraph~~
21 ~~may be conducted by department personnel or through~~



1 ~~contracts with the University of Hawaii or other~~
2 ~~qualified persons."]~~

3 SECTION 7. In codifying the new sections added by section
4 1 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 8. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 9. This Act shall take effect on July 1, 2010.

10

INTRODUCED BY: _____

Carly Evans

JAN 20 2010



Report Title:

Aquaculture; Department of Land and Natural Resources

Description:

Repeals the authority of the department of agriculture over marketing activities related to agriculture. Authorizes the department of land and natural resources to assume jurisdiction over marketing activities related to aquaculture. Repeals the aquaculture development special fund.

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