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## A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1           SECTION 1. Section 150A-6.1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§150A-6.1 Plant import. (a) The board shall maintain [~~a~~  
4 ~~list~~] respective lists of restricted plants, whether by rule or  
5 board order, that require a permit for entry into the State.

6 Restricted plants or any portion thereof shall not be imported  
7 into the State without a permit issued pursuant to rules.

8           (b) The department shall designate, by rule, as restricted  
9 plants, specific plants that may be detrimental or potentially  
10 harmful to agriculture, horticulture, the environment, or animal  
11 or public health, or that spread or may be likely to spread an  
12 infestation or infection of an insect, pest, or disease that is  
13 detrimental or potentially harmful to agriculture, horticulture,  
14 the environment, or animal or public health. In addition, plant  
15 species designated by rule as noxious weeds are designated as  
16 restricted plants.

17           (c) Notwithstanding subsection (b) or section 150A-6.6,  
18 the board may designate, by order, as restricted plants,



1 specific plants that may be detrimental or potentially harmful  
2 to agriculture, horticulture, the environment, or animal or  
3 public health, or that spread or may be likely to spread an  
4 infestation or infection of an insect, pest, or disease that is  
5 detrimental or potentially harmful to agriculture, horticulture,  
6 the environment, or animal or public health.

7 The board shall issue an order designating a specific plant  
8 species as a restricted plant upon a two-thirds majority vote of  
9 the board members present and voting at a meeting at which there  
10 is a quorum.

11 (d) The department may regulate or prohibit the sale of  
12 specific plants on the list of restricted plants by rule[-] or  
13 by order.

14 ~~[(d)]~~ (e) Noxious weeds may be imported only for research,  
15 by permit, and shall not be offered for sale or sold in the  
16 State.

17 ~~[(e)]~~ (f) No person shall import, offer for sale, or sell  
18 within the State any plant or propagative portion of *Salvinia*  
19 *molesta* or *Salvinia minima* and *Pistia stratiotes*."

20 SECTION 2. Section 150A-7.6, Hawaii Revised Statutes, is  
21 amended by amending subsection (c) to read as follows:



1           "(c) The fees to process requests for importation and  
2 possession shall be as follows:

3           (1) \$20 for a permit for a single shipment of restricted  
4 plants;

5           (2) \$100 for a permit for unlimited number of shipments of  
6 restricted plants, as provided by permit, occurring  
7 within one year of the date of issuance;

8           (3) \$20 for a permit for a single shipment of  
9 conditionally approved animals;

10          (4) \$100 for a permit for up to an unlimited number of  
11 shipments of conditionally approved animals, as  
12 provided by permit, occurring within one year of the  
13 date of issuance;

14          (5) \$50 for a permit for a single shipment of restricted  
15 animals that require permits for both importation and  
16 possession;

17          (6) \$200 for a permit for up to an unlimited number of  
18 shipments of restricted animals that require permits  
19 for importation and possession, as provided by permit,  
20 occurring within one year of the date of issuance;



- 1           (7)   \$100 for a special permit for an unlisted animal in an  
2                    emergency or disaster situation or for conducting  
3                    medical or scientific research;
- 4           (8)   \$500 for a short-term special permit for an unlisted  
5                    animal for a film production, performance, or  
6                    exhibition;
- 7           (9)   \$2500 for a permit for plants, animals, or  
8                    microorganisms that require a rule amendment or board  
9                    order to change a listing maintained by the board  
10                   pursuant to section 150A-6.1, 150A-6.2, or 150A-6.3,  
11                   to allow importation or possession of the organism or  
12                   to otherwise accommodate the request for import or  
13                   possession;
- 14          (10)  \$150 for a permit for a single shipment of listed or  
15                   unlisted microorganisms that require permits for  
16                   importation and possession;
- 17          (11)  \$500 for a permit for up to an unlimited number of  
18                   shipments of listed or unlisted microorganisms that  
19                   require a permit for importation or possession, as  
20                   provided by permit, occurring within one year of the  
21                   date of issuance or within a specified calendar year;



- 1 (12) \$50 for a letter of authorization for import of
- 2 unlisted microorganisms;
- 3 (13) \$100 for an emergency permit of an unlisted
- 4 microorganism or a microorganism on the list of
- 5 restricted microorganisms in an emergency or disaster
- 6 situation;
- 7 (14) \$150 for registration to import a microbial product;
- 8 and
- 9 (15) \$150 for registration of a laboratory described in
- 10 section 150A-6.3(f)(2)."

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

13 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Cindy Evans  
 JAN 21 2011

**Report Title:**

Restricted Plant List; Amend by Board Order

**Description:**

Authorizes the board of agriculture to designate plants as restricted by order.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

