

ACT 10

S.B. NO. 2773

A Bill for an Act Relating to Plant and Non-domestic Animal Quarantine.

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

SECTION 1. Section 150A-6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) No person shall transport, receive for transport, or cause to be transported to the State, for the purpose of debarkation or entry thereinto, any of the following:

- (1) Soil; provided that limited quantities of soil may be imported into the State for experimental or other scientific purposes under permit with conditions prescribed by the department;
- (2) Rocks, plants, plant products, or any article with soil adhering thereto;
- (3) Any live snake, flying fox, fruit bat, Gila monster, injurious insect, or eels of the order Anguilliformes, or any other animal, plant, or micro-organism in any stage of development that is detrimental or potentially harmful to agriculture, horticulture, animal or public health, or natural resources, including native biota, or has an adverse effect on the environment as determined by the board[; provided], except that, notwithstanding the list of animals prohibited entry into the State, the department may bring into and maintain in the State one live, sterile brown tree snake of the male sex for the purpose of research or training of snake detector dogs, and, further, that a government agency may bring into and maintain in the State not more than two live, nonvenomous snakes of the male sex solely for the purpose of exhibition in a government zoo, but only after:
 - (A) The board is presented with satisfactory evidence that the sex of the snakes was established to be male prior to the shipment; and
 - (B) The board gives written approval conditioned upon such terms as the board may deem necessary, which terms shall include [the] measures to assure the prevention of escape, continuing supervision and control by the board[,] with respect to any department import under this paragraph, and [shall provide that the board may determine] the manner in which the snakes shall be disposed of or destroyed.

In case of the death of one or [both] more snakes, the department or government agency may import and maintain replacements subject to the conditions described in this paragraph; and

- (4) Any live or dead honey bees, or used bee equipment that is not certified by the department to be free of pests; provided that nothing in this paragraph shall be construed to prohibit the importation of bee semen.”

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SECTION 2. Section 150A-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) It is a violation of section 150A-6 to bring to or possess in the State any living creature that is prohibited, or restricted and without a permit issued by the department, and such a creature shall constitute contraband and shall be seized immediately upon discovery whenever found, and be destroyed, donated to a government zoo, or sent out of the State, at the discretion of the department. Any expense or loss in connection therewith shall be borne by the owner or the owner’s agent. The foregoing shall not apply to any snake which is brought into the State by the department for the purpose of research or training of snake detector dogs, or by a government agency solely for the purpose of exhibition in a government zoo pursuant to section 150A-6(a)(3).”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 7, 1998.)