

DEPARTMENT OF AGRICULTURE

Adoption of Chapter 4-170
Hawaii Administrative Rules

June 9, 2006

SUMMARY

1. Chapter 4-170, Hawaii Administrative Rules, entitled "Aquaculture Development Special Fund," is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 4

DEPARTMENT OF AGRICULTURE

SUBTITLE 9

AQUACULTURE DEVELOPMENT PROGRAM

CHAPTER 170

AQUACULTURE DEVELOPMENT SPECIAL FUND

Subchapter 1 General Provisions

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- §4-170-2 Definitions

Subchapter 2 Fee Schedules and Waivers

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Subchapter 3 Aquaculture Development Special Fund

- §4-170-7 Aquaculture development special fund

SUBCHAPTER 1

GENERAL PROVISIONS

§4-170-1 Purpose. The purpose of this chapter is to establish a schedule of fees for aquacultural services. These fees shall apply to all persons requesting services from the aquaculture program of the department of agriculture. [Eff **JUL 03 2006**]
(Auth: HRS §141-2.6) (Imp: HRS §141-2.6)

§4-170-2 Definitions. As used in this chapter:
"Chairperson" means the chairperson of the board of agriculture.

"Department" means the department of agriculture.

"Non-routine technical services" means services and consultations in aquaculture planning, resource assessment and management, marketing, and health management provided to entities outside the Hawaii aquaculture industry or out-of-state.

"Program" means the aquaculture program of the department of agriculture.

"Staff" means an employee of the aquaculture program. [Eff JUL 03 2006] (Auth: HRS §141-2.6)
(Imp: HRS §141-2.6)

SUBCHAPTER 2
FEE SCHEDULES AND WAIVERS

§4-170-3 Fees for diagnostic services. (a) The program shall charge the following fees for aquatic animal or plant health diagnostic services:

- (1) A fee of \$10.00 per isolate for microbiological procedures for identification of bacteria and fungi to determine the health status of aquatic animals or plants and their growing environment;
- (2) A fee of \$5.00 per dot blot gene probe test to determine the health status of aquatic animals or plants and their growing environment;
- (3) A fee of \$5.00 per immune histochemistry reaction to determine the health status of aquatic animals or plants and their growing environment;
- (4) A fee of \$55.00 per polymerase chain reaction vial for virological procedures to determine the health status of aquatic animals or plants and their growing environment;
- (5) A fee of \$7.00 per slide for histopathology procedures and microscopic examination to determine the health status of aquatic

animals or plants and their growing environment;

- (6) A fee of \$4.00 per slide required in a necropsy examination to determine the health status of an aquatic animal or plant and their growing environment; and
- (7) A fee of \$4.00 per sample required to determine the water quality of the growing environment of an aquatic animal or plant.

(b) Additional charges may be made for travel and transportation costs, staff time, per diem expenses, and other direct expenses incurred by the program in the provision of aquatic animal or plant health diagnostic services.

(c) When payments of fees are made by check, a service fee of \$7.50 shall be assessed for each check not honored. [Eff ~~JUL 03 2006~~] (Auth: HRS §141-2.6) (Imp: HRS §141-2.6)

§4-170-4 Fee for certificates of health. (a) The program shall charge a fee of \$50.00 per certificate of health issued for the aquatic animals or plants and their growing environment and may charge for specified diagnostic services as described in section 4-11-3.

(b) Additional charges may be made for travel and transportation costs, staff time, per diem expenses, and other direct expenses incurred by the program in issuing a certificate of health.

(c) When payments of fees are made by check, a service fee of \$7.50 shall be assessed for each check not honored. [Eff ~~JUL 03 2006~~] (Auth: HRS §141-2.6) (Imp: HRS §141-2.6)

§4-170-5 Fees for non-routine technical services.

(a) The program may charge for non-routine technical services at the rate of \$30.00 per hour for professional staff time and may charge for specified diagnostic services as described in section 4-11-3.

(b) Additional charges may be made for travel and transportation costs, per diem expenses, and other direct expenses incurred by the program in performing non-routine technical services.

(c) When payments of fees are made by check, a service fee of \$7.50 shall be assessed for each check

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not honored. [Eff JUL 03 2006] (Auth: HRS §141-2.6) (Imp: HRS §141-2.6)

§4-170-6 Waiver of fees. Charges made pursuant to this chapter for aquaculture services may be waived with the approval of the chairperson.

[Eff JUL 03 2006] (Auth: HRS §141-2.6) (Imp: HRS §141-2.6)

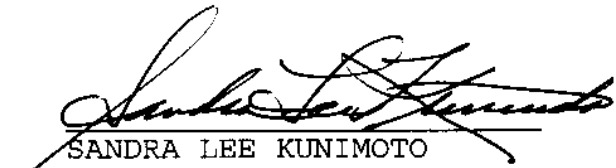
SUBCHAPTER 3
AQUACULTURE DEVELOPMENT SPECIAL FUND

§4-170-7 Aquaculture development special fund. All fees collected by the program under this chapter shall be deposited into the aquaculture development special fund pursuant to section §141-2.7, Hawaii Revised Statutes. [Eff JUL 03 2006] (Auth: HRS §141-2.6) (Imp: HRS §141-2.6)


DEPARTMENT OF AGRICULTURE

The adoption of chapter 4-170, Hawaii Administrative Rules, on the Summary Page dated June 9, 2006, were adopted on June 9, 2006 following public hearings held on Kona; Oahu; Kauai; Hilo; and Maui; respectively, on March 21, 23, 24, 28, 30, 2006, after public notice was given, respectively, in The Honolulu Star Bulletin, The Garden Isle, The Maui News, West Hawaii Today, and Hawaii Tribune-Herald on February 15, 2006.


The adoption of chapter 4-170 shall take effect ten days after filing with the Office of the Lieutenant Governor.


SANDRA LEE KUNIMOTO
Chairperson
Board of Agriculture

APPROVED AS TO FORM:


Deputy Attorney General

APPROVED:


LINDA LINGLE
Governor
State of Hawaii

Dated: JUN 22 2006

Filed

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LIEUTENANT GOVERNOR'S
OFFICE