Petition to protect the farming industry from Genetic engineering and preserve agriculturally-based practices and cultural traditions within the County of Hawaii.

COUNTY OF HAWAII, STATE OF HAWAII

AN ORDINANCE AMENDING CHAPTER 14, GENERAL WELFARE, HAWAII COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO THE RESTRICTION OF GENETICALLY ENGINEERED FARMING BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAII:
SECTION I. Chapter 14, Hawaii County Code 1983 (2005 Edition, as amended), is amended by adding a new article to be appropriately designated and to read as follows:
"Article .Genetically Engineered (Transgenic) Farming. Section 14- Purpose.
The purpose of this article is to protect the farming industry from Genetic engineering and preserve agriculturally-based practices and cultural traditions within the County of Hawaii.

Section 14- .Definitions.
As used in this article, unless the context clearly requires otherwise:
"Genetic engineering" means a process or technology employed whereby the hereditary apparatus of a living cell is altered, modified, or changed so that the cell can produce more or different chemicals or perform completely new functions. "Person" includes natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts, or corporations or any officer, anent, employee factor, or any other personal representative thereof, in any capacity, acting either for himself or for any other person, under personal appointment or pursuant to law.
"Recombinant DNA" means the transfer of genes, regulatory sequences, or nucleic acid between hosts by the use of vectors or laboratory manipulations and includes the insertion, excision, duplication, inactivation, or relocation of specific genes regulatory sequences, or sections of nucleic acid. This term does not apply to a material or an organism developed exclusively through traditional methods of breeding hybridization, or nondirected muta genesis.
"Release" means a discharge, emission or liberation of any genetically engineered organisms, or the product of a genetically engineered organism into the open environment.

Section 14- .Genetically engineered Farming, unlawful. It shall be unlawful for any person to test, propagate, cultivate, raise, plant grow introduce or release genetically engineered (transgenicl or recombinant DNA)

Section 14- .Penalty. Any person violating and provision of this article shall be guilty of a violation, and upon conviction thereof, shall be sentenced by a fine not exceeding $10,000.

Section 14- Instinctive relief. Proceeding for injunctive relief in a court of competent jurisdiction may be heard for potential violations of this article."

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.
SECTION 4. Material to be repealed is bracketed and stricken. New material is underscored. In printing this ordinance, the brackets, bracketed material, and underscoring need not be included.
SECTION 5. This ordinance shall take effect upon its approval. The Undersigned hereby support this new ordinance.

NAME	SIGNATURE	ADDRESS	EMAIL	PHONE