

JAN 20 2010

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE.

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

1 SECTION 1. In August and September 2009, a senate ad hoc
2 committee conducted five informational briefings to gather
3 information on the potential impacts of the anticipated
4 reduction in services for the department of agriculture's plant
5 quarantine branch and commodities branch throughout the State.

6 The plant quarantine branch's biosecurity program is
7 responsible for controlling the introduction and interisland
8 spread of invasive species in Hawaii, which has been described
9 as the single greatest threat to Hawaii's economy, natural
10 environment, and the health and lifestyle of Hawaii's people.
11 Nearly ninety per cent of Hawaii's consumer goods are imported
12 and ships alone bring in 500,000 sea containers carrying
13 25,000,000 cartons, with inspectors at harbors and airports
14 serving as the first line of defense in stopping invasive
15 species.

16 Initially, the plant quarantine branch listed seventy-two
17 general funded positions and forty special funded positions,



1 with fifty-two of the general funded positions scheduled for
2 layoffs. As a result of the briefings and increased community
3 attention, on September 24, 2009, the department of agriculture
4 announced temporary restoration of twenty-two of the plant
5 quarantine inspector positions slated for layoffs to support
6 core inspection services at ports statewide. The \$1,800,000
7 funding for the twenty-two positions includes \$600,000 earmarked
8 for the Hawaii invasive species council and \$1,200,000 from fees
9 collected in the pest inspection, quarantine, and eradication
10 fund. Income to the special fund comes from maritime and
11 airline companies that bring in cargo to Hawaii and pay 50 cents
12 per 1,000 pounds of cargo for inspection, quarantine, and
13 eradication of invasive species that may be transported into the
14 State.

15 The department's commodities branch provides fee-for-
16 service certification and auditing; enforces laws regarding the
17 quality and condition of agricultural products; issues licenses
18 for dealers in farm produce; conducts feed registration,
19 sampling, and enforcement for label guarantees; and administers
20 the milk control section. The branch is also responsible for
21 seafood inspections, seed certification, federal-state
22 certification of eggs, and food safety.



1 The commodities branch is projected to lose fifty per cent
2 of its full time staff. On the island of Hawaii, the layoffs
3 will directly impact the papaya and coffee industries and
4 increase certification times from days to weeks. Statewide,
5 over 1,800,000 pounds of papaya were checked and over 6,300,000
6 pounds of coffee certified in fiscal year 2009.

7 The informational briefings raised a number of concerns
8 regarding the potential impacts of the reduction in services for
9 the department of agriculture's plant quarantine branch and
10 commodities branch throughout the State, including the
11 environmental impacts.

12 For example, invasive pests can cause millions of dollars
13 in crop losses, the extinction of native species, the
14 destruction of native forests, the spread of diseases, and the
15 quarantine of exported agricultural crops. Plant quarantine
16 inspectors must be able to identify over 150 prohibited animals,
17 1,800 restricted animals, 1,800 conditionally approved fish, 600
18 general and nearly 22,000 species of grasses, as well as 100,000
19 hybrids of orchids that require quarantine. Inspectors need a
20 relevant academic degree and three years of training, and
21 currently, all branch staff require overtime to meet inspection
22 needs. Projected cuts will reduce the staff by nearly half,



1 making adequate inspection impossible, and the loss of these
2 services will have a detrimental environmental ripple effect for
3 businesses and communities throughout the State.

4 The purpose of this Act is to direct the legislative
5 reference bureau to analyze and report on the environmental
6 impacts on businesses and communities, as a result of the
7 reduction in services for the department of agriculture's plant
8 quarantine branch and commodities branch.

9 SECTION 2. (a) The legislative reference bureau shall
10 analyze the environmental impacts on businesses and communities,
11 as a result of the reduction in services for the department of
12 agriculture's plant quarantine branch and commodities branch
13 throughout the State, including:

- 14 (1) The number and types of inspections, certification and
15 auditing, registration and enforcement, and other
16 services directly affected by the layoffs;
- 17 (2) The adequacy of the workforce prior to the current
18 reductions;
- 19 (3) The shortage of entomologists on each island, and the
20 impacts on timely responses;



1 (4) A review of the pest inspection, quarantine, and
2 eradication fund and compliance by cargo carriers that
3 are required to pay into the fund;

4 (5) A review of the impact of using \$600,000 earmarked for
5 the Hawaii invasive species council to fund inspector
6 services, particularly the consequences for "on the
7 ground" eradication and management programs of
8 invasive species; and

9 (6) Other environmental and financial impacts,
10 particularly on communities and businesses that
11 previously relied on these services.

12 (b) The legislative reference bureau shall consult with,
13 at minimum, the department of agriculture; the Hawaii invasive
14 species council; the counties, and other government and private
15 sector agencies as deemed appropriate by the legislative
16 reference bureau, and legislators.

17 (c) The legislative reference bureau shall submit a report
18 of its findings, recommendations, and any proposed legislation
19 to the legislature no later than twenty days prior to the
20 convening of the regular session of 2011.

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1 SECTION 3. This Act shall take effect upon its approval.

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Report Title:

Legislative Reference Bureau; Department of Agriculture's Plant Quarantine Branch and Commodities Branch; Layoffs

Description:

Directs the legislative reference bureau to analyze and report on the environmental impacts on businesses and communities, as a result of the reduction in services for the department of agriculture's plant quarantine branch and commodities branch statewide.

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