



**GOV. MSG. NO. 1289**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

July 5, 2011

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

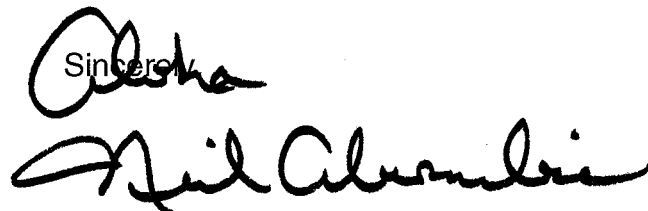
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 5, 2011, the following bill was signed into law:

SB281 SD2 HD2 CD1

RELATING TO ANIMAL INDUSTRY.  
**Act 185 (11)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

## A BILL FOR AN ACT

RELATING TO ANIMAL INDUSTRY.

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

1 SECTION 1. Chapter 142, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§142- Animal industry special fund. There is  
5 established the animal industry special fund to be administered  
6 by the board of agriculture. Moneys received by the board of  
7 agriculture from:

8 (1) The use or rental of the division of animal industry's  
9 properties or facilities, including the animal  
10 quarantine property or facilities pursuant to section  
11 142-3.5; or

12 (2) Appropriations or other moneys made available,  
13 shall be deposited into the special fund. All interest earned  
14 or accrued on moneys deposited in the special fund shall become  
15 part of the special fund. Moneys in the special fund shall be  
16 expended to cover costs of the division of animal industry,  
17 including the costs of salaries, fringe benefits, operating  
18 expenses, equipment, motor vehicles, contract with any qualified



1 person or entity for livestock handling services, and operating  
2 and maintenance of the animal industry facilities; provided that  
3 moneys in the special fund may be used to fund the department's  
4 resource management and planning programs. A reserve shall be  
5 maintained in the special fund to cover contingency costs,  
6 including accrued vacation leave, unemployment insurance, and  
7 workers' compensation."

8 SECTION 2. Section 142-3.5, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "§142-3.5 Authority to contract or rent facilities. The  
11 board of agriculture may contract with third parties for the use  
12 or rental of [~~animal quarantine~~] the division of animal  
13 industry's property or facilities; provided that:

14 (1) The board determines the property or facilities are  
15 not required for use by the [~~animal quarantine~~  
16 ~~program~~] division of animal industry during the term  
17 of use by the third party;

18 (2) The property or facilities shall be leased or rented  
19 at a reasonable lease rent as determined by the board  
20 of agriculture;



1 (3) The property or facilities shall be used for animal  
2 welfare, including emergency shelters for animals, or  
3 ~~[agriculture-related]~~ other commercial purposes; and

4 (4) The property or facilities shall be used only by the  
5 third party.

6 Revenues generated by the use or rental of the division of  
7 animal industry's property or facilities, including the animal  
8 quarantine property or facilities, shall be [used] deposited  
9 into the animal industry special fund, established pursuant to  
10 section 142- , and used to defray the operational costs of the  
11 [animal quarantine program and to minimize animal quarantine  
12 fees.] department of agriculture's division of animal industry."

13 SECTION 3. Section 142-28.5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "§142-28.5 Animal quarantine special fund. There is  
16 established the animal quarantine special fund to be  
17 administered by the board of agriculture. ~~[All moneys]~~ Moneys  
18 received by the board of agriculture from:

19 (1) Fees for the quarantine of cats, dogs, and other  
20 carnivores pursuant to this chapter;

21 (2) Moneys received for the use of animal quarantine  
22 property or facilities pursuant to section 142-3.5; or

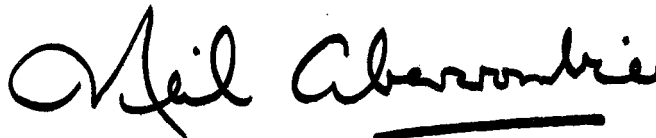


1           (3) State appropriations or other moneys made available,  
2 shall be deposited into the special fund. All interest earned  
3 or accrued on moneys deposited in the special fund shall become  
4 part of the special fund. Moneys in the special fund shall be  
5 expended to cover all costs of quarantine but not limited to the  
6 costs of salaries, fringe benefits, operating expenses,  
7 including the defraying of quarantine fees, equipment, motor  
8 vehicles, contract with any qualified person or entity for  
9 animal care services, operation and maintenance of the  
10 quarantine station, and promotional expenses. A reserve shall  
11 be appropriated and maintained in the special fund to cover  
12 contingency costs, including but not limited to accrued vacation  
13 leave, unemployment insurance, and workers' compensation."

14           SECTION 4. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16           SECTION 5. This Act shall take effect on July 1, 2011.

APPROVED this       5       day of       JUL       , 2011



GOVERNOR OF THE STATE OF HAWAII