



GOV. MSG. NO. 1306

**EXECUTIVE CHAMBERS
HONOLULU**

**NEIL ABERCROMBIE
GOVERNOR**

July 8, 2011

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

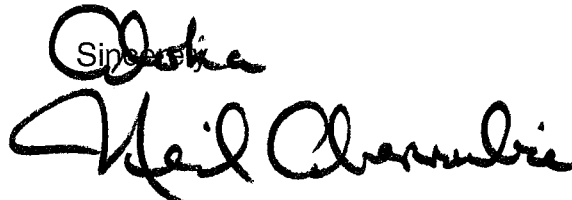
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

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

This is to inform you that on July 8, 2011, the following bill was signed into law:

HB1568 HD2 SD2 CD1

RELATING TO AGRICULTURE.
Act 202 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. The efficient and secure movement of
 2 agricultural commodities--whether imported into the State,
 3 exported out of the State, or transported between the islands of
 4 the State--is key to the long-term viability of Hawaii's
 5 agriculture industry. Inefficiencies in cargo transportation
 6 increase the cost of goods and raise the risk of spoilage and
 7 loss. Consumers and retailers demand safe food products;
 8 farmers and wholesalers follow food-safety guidelines and
 9 regulations. The transportation of agricultural commodities
 10 from producer to consumer cannot be the weak link in the system.

11 The inspection and proper treatment of incoming and
 12 outgoing commodities reduce the probability of the introduction
 13 of new pests to Hawaii's agricultural industry and reduce the
 14 likelihood of a quarantine on Hawaii's exported goods. In
 15 addition, export commodities need to be inspected by the United
 16 States Department of Agriculture or state department of
 17 agriculture to meet the applicable domestic or foreign
 18 quarantine or restriction.



1 Currently, there are only two pathways for introduced
2 species to arrive in the State: air and sea transportation.
3 Air transportation has been proven to be the highest risk
4 pathway, transporting introduced species, invasive species and
5 pests, various illegal plants and animals, and a higher quantity
6 of non-native pests, which are more likely to become established
7 in our islands. Each year, eighty per cent of the insects
8 intercepted by inspectors are at Hawaii's airports.

9 The legislature finds that the Federal Aviation
10 Administration is moving toward a sustainable airport concept
11 that implements sustainable principles as part of airport
12 planning, the core principles of which are:

- 13 (1) Protecting the environment;
14 (2) Maintaining high and stable levels of economic growth;
15 and
16 (3) Social progress that recognizes all stakeholders'
17 needs.

18 This program makes these issues a core objective of the airport
19 and not a secondary concern.

20 The purpose of this Act is to initiate and continue the
21 implementation of biosecurity facilities at Hawaii's ports and
22 applicable off-port locations. These facilities would be in



1 accord with section 150A-53(2) and (4), Hawaii Revised Statutes,
2 which directs the department of agriculture to:

3 "(2) Establish, operate, or participate in operating port-
4 of-entry facilities where multiple government agencies
5 may inspect, quarantine, fumigate, disinfect, destroy,
6 or exclude as appropriate, articles that may harbor
7 pests or exclude articles that are prohibited or
8 restricted without a permit, with the goals of:

- 9 (A) Performing inspections in an efficient,
10 effective, and expeditious manner for the
11 government agencies involved and for cargo
12 owners, carriers, and importers; and
13 (B) Providing for the proper and safe storage and
14 handling of cargo, especially agricultural and
15 food commodities, awaiting inspection;

16 * * *

17 (4) Collaborate with relevant government agencies,
18 agricultural commodity importers, and other persons to
19 examine and develop joint integrated systems to better
20 implement the biosecurity program."



1 SECTION 2. Chapter 261, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§261- Biosecurity, inspection, and cargo support
5 facilities. (a) The department shall coordinate with the
6 department of agriculture to facilitate the inspection,
7 consolidation, deconsolidation, and treatment of imported and
8 exported agriculture and other inspected commodities to meet the
9 needs of each island and to facilitate the safe movement of
10 enplaned and deplaned air cargo through the airports."

11 SECTION 3. Chapter 266, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§266- Biosecurity, inspection, and cargo support
15 facilities. (a) The department of transportation shall provide
16 space at commercial harbors for biosecurity and inspection
17 facilities and to facilitate the safe and efficient movement of
18 maritime cargo through the commercial harbors.

19 (b) The department and department of agriculture shall
20 plan, design, and construct biosecurity, inspection,
21 consolidation, deconsolidation, and treatment facilities for use
22 by the department of agriculture to enhance the efficient and

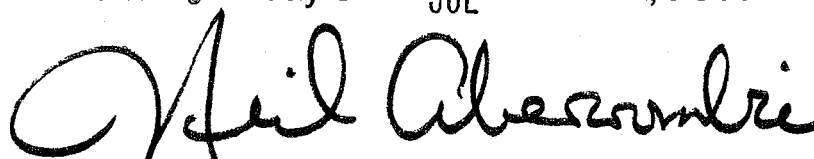


1 safe movement of imported and exported marine cargo, to include
2 food safe and food security guidelines and standards."

3 SECTION 4. New statutory material is underscored.

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

APPROVED this 8 day of JUL , 2011



GOVERNOR OF THE STATE OF HAWAII

