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## A BILL FOR AN ACT

RELATING TO INSPECTIONS.

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

1           SECTION 1. The legislature finds that there are only two  
2 pathways for introduced species to arrive in the state: air and  
3 sea transportation. Air transportation has been proven to be  
4 the highest risk pathway, transporting introduced species which  
5 are much more likely to become established, as well as various  
6 illegal plants and animals, invasive pests, a higher quantity of  
7 non-native pests, and a greater variety of invasive pests. Each  
8 year, eighty per cent of the insects intercepted by inspectors  
9 are at the airports.

10           The need for modern inspection facilities is a necessity to  
11 protect the health, safety, and welfare of the public. Delays  
12 in cargo inspection can cause the rot and decay of perishable  
13 goods and frustrate airlines and their users.

14           Federal Aviation Administration (FAA) Order No. 5190.6B  
15 allows the expenditure of airport funds for ground access  
16 projects in two general cases:

17           (1) If the project qualifies as an integral part of an  
18           airport capital project; and



1           (2) If the project is owned or operated by the sponsor and  
2                    is directly and substantially related to the air  
3                    transportation of passengers or property.

4 In the second case, the FAA conducts a three-part analysis to  
5 determine whether:

6           (1) The facility is owned or operated by the airport  
7                    sponsor;

8           (2) The facility is directly and substantially related to  
9                    air transportation; and

10          (3) The airport contribution is prorated to the forecast  
11                    use of the facility.

12           The purpose of this Act is to satisfy the FAA's criteria  
13 and mitigate the environmental concerns posed by the airport  
14 modernization program by requiring the department of  
15 transportation to provide biosecurity inspection facilities at  
16 certain major airports to inspect air cargo.

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

20           "§261-A    Biosecurity inspection facilities.   (a) The  
21 department shall provide biosecurity inspection facilities at  
22 Honolulu International Airport, Kona International Airport at



1 Keahole, and Hilo International Airport, in compliance with  
2 section 150A-53 for the inspection, consolidation,  
3 deconsolidation, and treatment of air cargo, and to facilitate  
4 the inspection of air cargo, and to meet the needs of each  
5 island's agricultural industries.

6 (b) The department shall design, construct, and operate  
7 inspection facilities, treatment facilities, inspector  
8 facilities, and inspection bays. The department shall  
9 coordinate with other departments in the planning, design, and  
10 operation of these facilities to ensure the effectiveness of the  
11 facilities."

12 SECTION 3. There is appropriated of out of the airport  
13 revenue fund the sum of \$ or so much thereof as may be  
14 necessary for the fiscal year 2011-2012 and the same amount or  
15 so much thereof as may be necessary for fiscal year 2012-2013  
16 for biosecurity inspection facilities as provided in section 2  
17 of this Act.

18 The sums appropriated shall be expended by the department  
19 of transportation for the purposes of this Act.

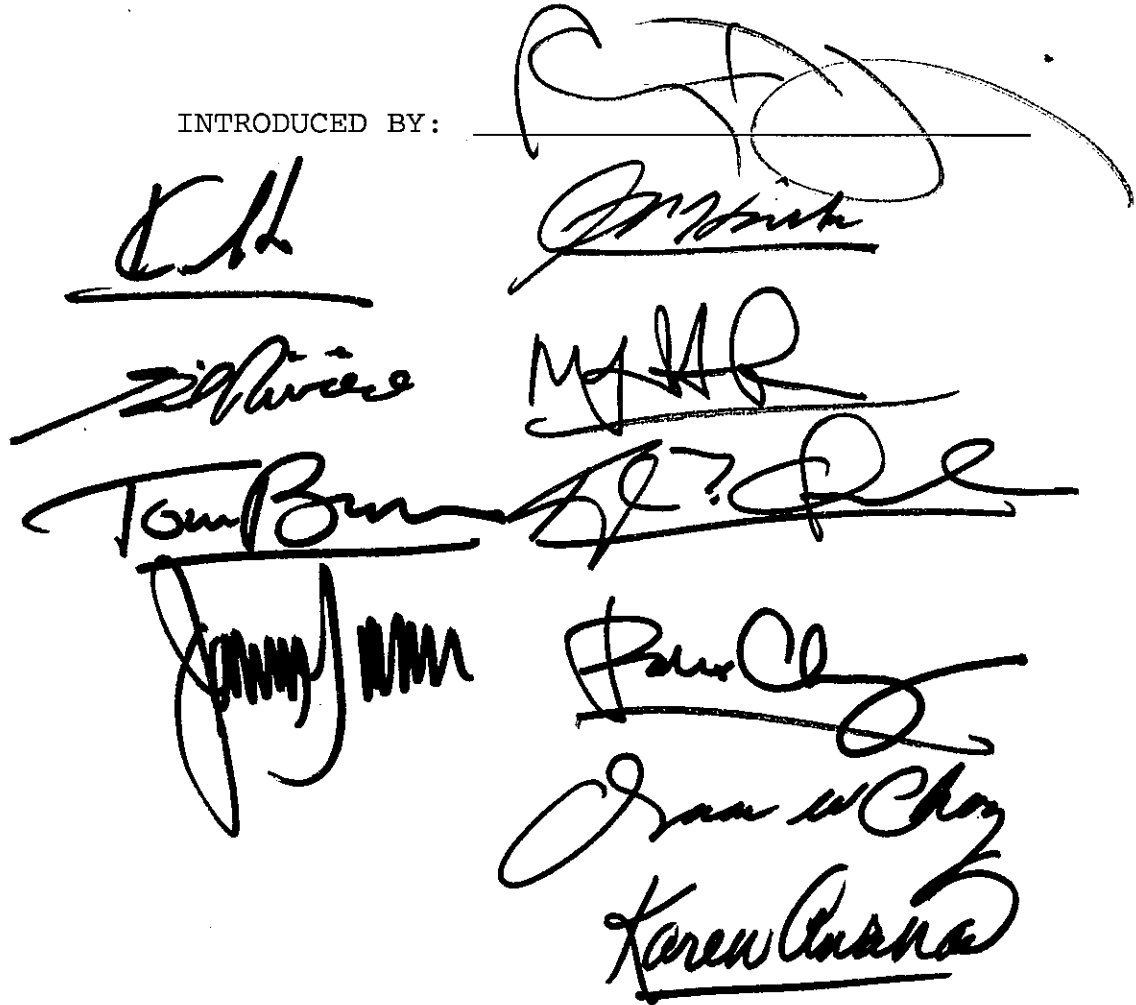
20 SECTION 4. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval;  
2 provided that section 3 of this Act shall take effect on July 1,  
3 2011.

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INTRODUCED BY:

A collection of handwritten signatures in black ink, arranged in two columns. The signatures are written over a horizontal line. The names are: Top left: [Signature]; Top right: [Signature]; Middle left: [Signature]; Middle right: [Signature]; Below middle left: [Signature]; Below middle right: [Signature]; Bottom left: [Signature]; Bottom right: [Signature]; Bottom right (second): [Signature].

JAN 26 2011



**Report Title:**

Airports; Biosecurity; Appropriation

**Description:**

Requires the Department of Transportation to provide biosecurity inspection facilities at Honolulu International Airport, Kona International Airport at Keahole, and Hilo International Airport. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

