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# A BILL FOR AN ACT

RELATING TO AGRICULTURE INSPECTORS.

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

1           SECTION 1. The legislature finds that support for the  
2 biosecurity program under the department of agriculture is  
3 important because of the impact of invasive species to Hawaii's  
4 agriculture, environment, natural resources, public health, and  
5 economy. The legislature also finds that the U.S. Department of  
6 Agriculture and other states' departments of agriculture also  
7 face shortages in agriculture inspectors. Therefore, to improve  
8 the effectiveness of the biosecurity program, the legislature  
9 finds that providing the state department of agriculture with  
10 the authority to establish, maintain, and enforce compliance  
11 agreements with federal or other state departments of  
12 agriculture will allow the federal and other state departments  
13 of agriculture and their respective inspectors to work  
14 cooperatively with Hawaii's agriculture inspectors on import and  
15 export programs.

16           The importation of christmas trees is considered a high-  
17 risk for invasive species introduction into the State. This  
18 measure would allow the Hawaii department of agriculture to



1 enter into compliance agreements with the Oregon department of  
2 agriculture and Washington department of agriculture to monitor  
3 the growing and packing of christmas trees to reduce the amount  
4 of invasive species that may hitchhike with shipments.

5 For export, our fruits industry, valued at \$30,000,000;  
6 vegetable industry, valued at \$75,000,000; and floral and  
7 nursery industry, valued at \$100,000,000 are at risk of losing  
8 export markets due to quarantine measures imposed by the federal  
9 government and other states. To assist the agricultural  
10 industry, the legislature recommends that the Hawaii department  
11 of agriculture enter into compliance agreements with receiving  
12 states to establish origin-inspection programs to ease  
13 quarantine restrictions placed on our growers.

14 The purpose of this Act is to provide the department of  
15 agriculture with authority to establish, maintain, and enforce  
16 compliance agreements with federal or state departments of  
17 agriculture, and to assess fees for conducting inspections  
18 required under compliance agreements.

19 SECTION 2. Section 141-2, Hawaii Revised Statutes, is  
20 amended to read as follows:



1           "**§141-2 Rules.** Subject to chapter 91, the department of  
2 agriculture shall adopt, amend, and repeal rules not  
3 inconsistent with law, for and concerning:

4           (1) The introduction, transportation, and propagation of  
5 trees, shrubs, herbs, and other plants;

6           (2) The quarantine, inspection, fumigation, disinfection,  
7 destruction, or exclusion, either upon introduction  
8 into the State, or at any time or place within the  
9 State, of any nursery-stock, tree, shrub, herb, vine,  
10 cut-flower, cutting, graft, scion, bud, seed, leaf,  
11 root, or rhizome; any nut, fruit, or vegetable; any  
12 grain, cereal, or legume in the natural or raw state;  
13 any moss, hay, straw, dry-grass, or other forage; any  
14 unmanufactured log, limb, or timber; or any other  
15 plant growth or plant product unprocessed or in the  
16 raw state; any sand, soil, or earth; any live bird,  
17 reptile, insect, or other animal, in any stage of  
18 development, that is in addition to the so-called  
19 domestic animals, which are provided for in section  
20 142-2; and any box, barrel, crate, or other containers  
21 in which the articles, substances, or objects have  
22 been transported or contained, and any packing

1 material used in connection therewith, that is or may  
2 be diseased or infested with insects or likely to  
3 assist in the transmission or dissemination of any  
4 insect or plant disease injurious, harmful, or  
5 detrimental, or likely to become injurious, harmful,  
6 or detrimental to the agricultural or horticultural  
7 industries or the forests of the State, or that is or  
8 may be in itself injurious, harmful, or detrimental to  
9 the same [+]; provided that included therein may be  
10 rules governing the transportation of any of the  
11 articles, substances, or objects enumerated above in  
12 this section between different localities on any one  
13 of the islands within the State[+];

14 (3) The establishment, maintenance, and enforcement of  
15 compliance agreements with federal or state  
16 departments of agriculture authorizing agriculture  
17 inspectors from the state of origin to monitor the  
18 growing and packing of commodities, any treatment  
19 procedures to insure compliance to quarantine laws,  
20 and the assessment of fees for conducting inspections  
21 required under the compliance agreement;



1        [~~3~~] (4) The prohibition of importation into the State,  
2                from any or all foreign countries or from other parts  
3                of the United States, or the shipment from one island  
4                within the State to another island therein, or the  
5                transportation from one part or locality of any island  
6                to another part or locality of the same island, of any  
7                specific article, substance, or object or class of  
8                articles, substances, or objects, among those  
9                enumerated above in this section, that is diseased or  
10               infested with insects or likely to assist in the  
11               transmission or dissemination of any insect or plant  
12               disease injurious, harmful, or detrimental or likely  
13               to be injurious, harmful, or detrimental to the  
14               agricultural or horticultural industries, or the  
15               forests of the State, or that is or may be in itself  
16               injurious, harmful, or detrimental to the same;

17        [~~4~~] (5) The preparation by cargo carriers of manifests of  
18               cargo transported into the State or between islands of  
19               the State and the submission of the manifests to the  
20               department; and

21        [~~5~~] (6) The manner in which agricultural product  
22               promotion and research activities may be undertaken,



1           after coordinating with the agribusiness development  
2           corporation.

3           All rules adopted under this section shall have the force  
4 and effect of law."

5           SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7           SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Agriculture; DOA; Inspections; Deputy Inspectors; Fees

**Description:**

Authorizes the Department of Agriculture to establish compliance agreements with the federal government and other states for inspections conducted in the state of origin. Effective July 1, 2050. (HB2244 HD1)

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

