
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 United States
6 Department of Agriculture and other states' departments of
7 agriculture also face shortages in agriculture inspectors.
8 Therefore, to improve the effectiveness of the biosecurity
9 program, the legislature finds that providing the state
10 department of agriculture with the authority to establish,
11 maintain, and enforce compliance agreements with federal or
12 other state departments of agriculture will allow the federal
13 and other state departments of agriculture and their respective
14 inspectors to work cooperatively with Hawaii's agriculture
15 inspectors on import and export programs.

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



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

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

15 The purpose of this Act is to authorize the department of
16 agriculture to establish, maintain, and enforce compliance
17 agreements with federal or state departments of agriculture as
18 to the import and export of plant commodities, and to assess
19 fees for conducting inspections required under compliance
20 agreements.

21 SECTION 2. Section 141-2, Hawaii Revised Statutes, is
22 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 prohibition of importation into the State, from
15 any or all foreign countries or from other parts of
16 the United States, or the shipment from one island
17 within the State to another island therein, or the
18 transportation from one part or locality of any island
19 to another part or locality of the same island, of any
20 specific article, substance, or object or class of
21 articles, substances, or objects, among those
22 enumerated above in this section, that is diseased or



1 infested with insects or likely to assist in the
2 transmission or dissemination of any insect or plant
3 disease injurious, harmful, or detrimental or likely
4 to be injurious, harmful, or detrimental to the
5 agricultural or horticultural industries, or the
6 forests of the State, or that is or may be in itself
7 injurious, harmful, or detrimental to the same;

8 (4) The preparation by cargo carriers of manifests of
9 cargo transported into the State or between islands of
10 the State and the submission of the manifests to the
11 department; [and]

12 (5) The establishment, maintenance, and enforcement of
13 compliance agreements with federal or state
14 departments of agriculture authorizing agriculture
15 inspectors from the state of origin in the case of
16 imports to the State, or State agricultural inspectors
17 in the case of State exports, to monitor the growing
18 and packing of plant commodities and any treatment
19 procedures to ensure compliance with quarantine laws,
20 and further authorizing the assessment of fees for
21 conducting inspections required under the compliance
22 agreement; and



Report Title:

Agriculture; DOA; Inspections; Deputy Inspectors; Fees

Description:

Authorizes the DOA to establish compliance agreements with the federal government and other states for inspections conducted in the state of origin for the import and export of plant commodities. Effective July 1, 2050. (SD2)

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