

JAN 25 2012

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. The legislature supports the department of
2 agriculture's goal to integrate programs in order to develop
3 Hawaii's agriculture and food security. Hawaii's agriculture
4 has transformed from sugar and pineapple to diversified
5 agriculture and now faces such complexities as diversified
6 export markets, increased pest pressure, global competitiveness,
7 sustainability, food safety, food security, and self-
8 sufficiency. The legislature recognizes that addressing these
9 issues needs to be a coordinated effort by the agricultural,
10 transportation, and research organizations with other federal
11 and state agencies working in collaboration with private sector
12 businesses.

13 Therefore, the purpose of this Act is to establish the
14 agricultural development and food security program to encompass
15 all aspects of agriculture from farm to market. The farm to
16 market concept, although linear, includes interrelationships
17 between private and public sectors to develop and improve

S.B. NO. 2692

1 agriculture in the State. The goals of the proposed concept are
2 to:

3 (1) Position the agricultural industry to be sustainable
4 and to achieve critical mass;

5 (2) Increase availability of locally grown and produced
6 commodities in the market place;

7 (3) Expand agricultural exports to domestic and foreign
8 countries, and re-establish Hawaii as a global leader
9 in agriculture and agriculture technologies;

10 (4) Develop sustainable practices that ensure self-
11 sufficiency in crop production; and

12 (5) Protect Hawaii's agriculture, environment, and natural
13 resources.

14 The program will provide an overall direction overseen by
15 the department of agriculture to develop agriculture in areas
16 including but not limited to: farm inputs, agricultural
17 infrastructure, labor, biosecurity, food safety, sustainability,
18 market development, and research and development. The
19 department of agriculture is the government agency best
20 positioned, however not necessarily adequately resourced, to
21 oversee the development of agriculture, with active
22 participation from the agricultural industry, transportation

1 industry, the University of Hawaii-College of Tropical
2 Agriculture and Human Resources, public and private research
3 entities, and other federal and state agencies.

4 The concept of farm-to-market impacts areas that are not
5 solely under the department of agriculture's purview, but
6 critical to the development of agriculture. These include, but
7 are not limited to: agricultural lands, water treatment, pest
8 management programs, food safety, distribution and biosecurity
9 systems, industry and market development, and policy issues.

10 This Act authorizes the department of agriculture to
11 develop, coordinate, fund, and integrate new and existing
12 programs, facilities, and projects in order to promote the
13 development of agriculture and food security within the State.

14 SECTION 2. Chapter 141, Hawaii Revised Statutes, is
15 amended by adding two new sections to be appropriately
16 designated and to read as follows:

17 "§141-A Agricultural development and food security
18 program; establishment. There shall be established within the
19 department an agricultural development and food security program
20 authorized under this chapter that shall:

S.B. NO. 2692

- 1 (1) Provide oversight, administration, coordination,
2 revenue development, and funding to develop Hawaii's
3 agriculture industry from farm-to-market;
- 4 (2) Interface with private, public-private, and public
5 organizations and agencies to work toward the goals
6 and objectives of the agricultural development and
7 food security program; and
- 8 (3) Comport with other relevant state laws, provided that
9 the agricultural development and food security program
10 is consistent with federal law.

11 **§141-B Objectives of the agricultural development and food**
12 **security program.** The objectives of the agricultural
13 development and food security program shall be to:

- 14 (1) Increase agriculture sustainability and improve the
15 economic viability of the State's agriculture industry
16 including development of data to measure progress;
- 17 (2) Develop and implement programs to assist farm,
18 nursery, and livestock production;
- 19 (3) Coordinate, fund, and establish agriculture industry
20 development programs;

S.B. NO. 2692

- 1 (4) Develop and implement programs to increase
2 agricultural exports to domestic and foreign
3 countries;
- 4 (5) Establish Hawaii as a global leader in agriculture and
5 agriculture technologies;
- 6 (6) Develop and implement concepts and programs to expand
7 the locally grown share of the State's market;
- 8 (7) Support and assist in developing farm to school
9 program;
- 10 (8) Develop and implement research and technology transfer
11 programs for varieties, treatment, pest control,
12 diagnostics, farm inputs, etc.;
- 13 (9) Support and coordinate with other programs within the
14 department such as infrastructure development,
15 biosecurity, and food safety;
- 16 (10) Ensure the product integrity of agricultural
17 commodities branded as made in Hawaii to protect
18 Hawaii's identity as a producer; and
- 19 (11) Review, coordinate, update, oversee, and comment on
20 government policies that affect the State's
21 agriculture and food security."

S.B. NO. 2692

1 SECTION 3. Section 141-2, Hawaii Revised Statutes, is
2 amended to read as follows:

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

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

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

S.B. NO. 2692

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

- 16 (3) The prohibition of importation into the State, from
17 any or all foreign countries or from other parts of
18 the United States, or the shipment from one island
19 within the State to another island therein, or the
20 transportation from one part or locality of any island
21 to another part or locality of the same island, of any
22 specific article, substance, or object or class of

S.B. NO. 2692

1 articles, substances, or objects, among those
2 enumerated above in this section, that is diseased or
3 infested with insects or likely to assist in the
4 transmission or dissemination of any insect or plant
5 disease injurious, harmful, or detrimental or likely
6 to be injurious, harmful, or detrimental to the
7 agricultural or horticultural industries, or the
8 forests of the State, or that is or may be in itself
9 injurious, harmful, or detrimental to the same;

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

14 (5) The manner in which agricultural product promotion and
15 research activities may be undertaken, after
16 coordinating with the agribusiness development
17 corporation[~~-~~]; and

18 (6) The implementation and promotion of the agricultural
19 development and food security program.

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

S.B. NO. 2692

1 SECTION 4. Section 141-10, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Subject to legislative appropriation, moneys in the
4 special fund may be expended for the following purposes:

- 5 (1) The awarding of grants to farmers for agricultural
6 production or processing activity;
- 7 (2) The acquisition of real property for agricultural
8 production or processing activity;
- 9 (3) The improvement of real property, dams, reservoirs,
10 irrigation systems, and transportation networks
11 necessary to promote agricultural production or
12 processing activity, including investigative studies
13 to identify and assess necessary improvements to dams,
14 reservoirs, irrigation systems, and transportation
15 networks;
- 16 (4) The purchase of equipment necessary for agricultural
17 production or processing activity;
- 18 (5) The conduct of research on and testing of agricultural
19 products and markets;
- 20 (6) The funding of agricultural inspector positions within
21 the department of agriculture;

S.B. NO. 2692

- 1 (7) The promotion and marketing of agricultural products
- 2 grown or raised in the State;
- 3 (8) Water quality testing and improvement; [and]
- 4 (9) The promotion and implementation of the agricultural
- 5 development and food security program; and
- 6 [~~9~~](10) Any other activity intended to increase
- 7 agricultural production or processing that may lead to
- 8 reduced importation of food, fodder, or feed from
- 9 outside the State."

10 SECTION 5. In codifying the new sections added by this
 11 Act, the revisor of statutes shall substitute appropriate
 12 section numbers for the letters used in designating the new
 13 sections in this Act.

14 SECTION 6. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect on July 1, 2012.

17

18

INTRODUCED BY: 

19

BY REQUEST

S.B. NO. 2692

Report Title:

Department of Agriculture; Agricultural Development and Food Security Program

Description:

Creates an agricultural development and food security program within the Department of Agriculture. Effective 7/1/2012.

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

JUSTIFICATION SHEET

DEPARTMENT: Agriculture

TITLE: A BILL FOR AN ACT RELATING TO AGRICULTURE.

PURPOSE: To create the agricultural development and food security program to grow the farm to market concept and increase interrelationships between private and public sectors to develop and improve agriculture in the State.

MEANS: Add two new sections to chapter 141 and amend sections 141-2 and 141-10(c), Hawaii Revised Statutes.

JUSTIFICATION: Hawaii's agriculture is facing a growing number of challenges including: increased pest pressure, global competitiveness, sustainability, food safety, food security, and self-sufficiency. Recognizing these challenges, the Governor has made food and agriculture a priority in his "A New Day in Hawaii" plan with the aim of creating "an agriculture renaissance in Hawaii". The department is proposing to create the agricultural development and food security program to develop, coordinate, develop funding, and integrate new and existing programs, facilities, and projects in order to promote the development of agriculture and food security within the State through the holistic vision of farm to market.

The purpose of the agricultural development and food security program is outlined in the following goals:

- Position the agricultural industry to be sustainable and above critical mass
- Increase locally grown and produced commodities in the market place
- Expand agricultural exports to domestic and foreign countries, and re-establish

Hawaii as a global leader in agriculture and agriculture technologies

- Develop sustainability and self-sufficiency in crops of interest
- Protect Hawaii's agriculture, environment, and natural resources

Impact on the public: Would increase the viability of agriculture as an industry in Hawaii providing jobs in the industry as well as in the processing of value added products and services in this down economy. Would increase access to fresh locally grown products and decrease the dependency on imported goods whose price is largely dependent on the rising cost of oil.

Impact on the department and other agencies: Would provide a focal point within the Department of Agriculture to more effectively carry out the Governor's New Day Initiative.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: AGR 192.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: July 1, 2012.