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# A BILL FOR AN ACT

RELATING TO BIOSECURITY.

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

1           SECTION 1. The legislature finds that the unchecked spread  
2 of invasive species is one of the greatest threats to Hawaii's  
3 economy, natural environment, and the health and lifestyle of  
4 Hawaii's people. Invasive pests can cause millions of dollars  
5 in crop losses, the extinction of native species, the  
6 destruction of native forests, the spread of disease, and the  
7 quarantine of exported agricultural crops.

8           Island ecosystems are particularly vulnerable to the  
9 destructive power of invasive pests. On Guam, the accidental  
10 introduction of the brown tree snake has resulted in widespread  
11 devastation. Without natural predators or competition for food,  
12 brown tree snake populations have grown exponentially, causing  
13 mass extinctions of endemic birds. Where there were once bird  
14 songs, the forests of Guam are now silent and home to as many as  
15 fifteen thousand snakes per square mile. The introduction of  
16 just one new pest like the brown tree snake could change the  
17 ecological character of the Hawaiian Islands forever.



1           Despite the State's ongoing efforts to detect and eradicate  
2   invasive species, Hawaii's fragile island ecosystems are  
3   constantly at risk from insects, disease-bearing organisms, snakes,  
4   weeds, and other invasive pests. The coqui frog, *Salvinia molesta*,  
5   *Miconia calvescens*, ohia rust, nettle caterpillar, and little  
6   fire ant are all present in Hawaii, disrupting the delicate  
7   balance of island ecosystems, crowding out native species, and  
8   reducing the biodiversity of Hawaii.

9           The department of agriculture has created a biosecurity  
10   program to fight invasive species on several fronts by:

- 11           (1) Administering pre-entry measures to minimize the risk  
12               of invasive pests entering the State;
- 13           (2) Conducting port-of-entry inspections to detect and  
14               quarantine or destroy pests upon arrival; and
- 15           (3) Administering post-entry measures to mitigate the  
16               establishment of pests in the State.

17           The department has also supported the growth of Hawaii's  
18   agriculture industry by attempting to reduce the State's  
19   dependency on imported agricultural products that may contain  
20   pests. The legislature finds that sufficient support for a  
21   biosecurity program is vital to the public's health and welfare.

22           The purpose of this Act is to:



1 (1) Reaffirm the legislature's finding that the  
2 implementation of the department of agriculture's  
3 biosecurity program is vital to the State;

4 (2) Appropriate moneys to enable the department of  
5 agriculture to complete the implementation of the  
6 biosecurity program; and

7 (3) Authorize the department of agriculture to establish  
8 or participate in private-public partnerships to  
9 enhance the biosecurity program and quarantine  
10 inspection process.

11 SECTION 2. Section 150A-53, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "[~~§~~§150A-53~~]~~ **General actions to achieve objectives.** To  
14 achieve the objectives of the biosecurity program, the  
15 department shall plan for and, within available legislative  
16 appropriations or through funding from other sources, implement  
17 the following:

18 (1) Work with government agencies and agricultural  
19 commodity exporters of other states and countries to  
20 establish pre-entry inspection programs under which  
21 inbound cargo into the State is inspected at the ports  
22 of departure or other points outside the State;



- 1           (2) Establish, operate, or participate in operating port-  
2           of-entry facilities where multiple government agencies  
3           may inspect, quarantine, fumigate, disinfect, destroy,  
4           or exclude as appropriate, articles that may harbor  
5           pests or exclude articles that are prohibited or  
6           restricted without a permit, with the goals of:
- 7           (A) Performing inspections in an efficient,  
8           effective, and expeditious manner for the  
9           government agencies involved and for cargo  
10          owners, carriers, and importers; [~~and~~]
- 11          (B) Providing for the proper and safe storage and  
12          handling of cargo, especially agricultural and  
13          food commodities, awaiting inspection; and
- 14          (C) Establishing or participating in private-public  
15          partnerships to enhance the biosecurity program  
16          and quarantine inspection process with on-port  
17          and off-port facilities, including inspection and  
18          treatment facilities, transitional facilities,  
19          and consolidation and deconsolidation facilities;  
20          provided that actual inspections shall be  
21          performed only by department employees and not  
22          private contractors or their employees.



- 1           (3) Develop, implement, and coordinate post-entry measures  
2           to eradicate, control, reduce, and suppress pests and,  
3           as appropriate, eradicate or seize and dispose of  
4           prohibited or restricted organisms without a permit  
5           that have entered the State;
- 6           (4) Collaborate with relevant government agencies,  
7           agricultural commodity importers, and other persons to  
8           examine and develop joint integrated systems to better  
9           implement the biosecurity program;
- 10          (5) Improve cargo inspection capabilities and methods,  
11          including enhancement of the content and submission  
12          requirements for cargo manifests and agricultural  
13          commodity ownership and movement certificates;
- 14          (6) Promote the production of agricultural commodities in  
15          the State to reduce cargo shipments of imported  
16          commodities into the State; and
- 17          (7) Provide public education on the negative effects of  
18          pests and prohibited or restricted organisms without a  
19          permit, to the environment and economy of the State."

20           SECTION 3. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$                    or so  
22 much thereof as may be necessary for fiscal year 2014-2015 for



1 the biosecurity program of the department of agriculture;  
2 provided that the appropriation shall be used for the following  
3 projects:

- 4 (1) An electronic manifest system for maritime cargo  
5 inspections;
- 6 (2) Import replacement of high risk crops and the  
7 development of systems management to enhance pest  
8 management practices;
- 9 (3) Research on new generation pesticides and development  
10 of integrated pest management methods;
- 11 (4) Development of quarantine treatment options;
- 12 (5) Development and implementation of diagnostics to  
13 quickly and reliably identify new and evolving pests  
14 and diseases;
- 15 (6) Improvement of productivity of inspection capacity;  
16 and
- 17 (7) Public and agriculture industry education activities.

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

20 SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

22 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Biosecurity Program; Department of Agriculture; Appropriation

**Description:**

Authorizes the DOA to establish or participate in private-public partnerships to enhance the biosecurity program and quarantine inspection process. Appropriates funds for FY 2014-2015 for the DOA's biosecurity program. Effective 7/1/2050. (SD2)

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