
A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

1 SECTION 1. The legislature finds that the State has spent
2 millions of dollars to control certain invasive species, but
3 that control efforts are often too late to stop their spread
4 across the Hawaiian islands. As a result, invasive species now
5 infest hundreds of thousands of acres and affect Hawaii's export
6 industry, tourism revenues, property values, residents' quality
7 of life, and the environment. Some businesses have become
8 "revolving doors" for the reintroduction of invasive species.

9 The legislature finds that the department of agriculture
10 has designated invasive species such as coqui frogs and little
11 fire ants as pests and has targeted them for control or
12 eradication. The legislature also finds that these pests
13 continue to move to new areas within the State. These two pests
14 are most often transported and spread through commodities that
15 are grown or sourced from infested areas, and the commodities
16 may or may not be subject to inspection for pests or to
17 treatment. The legislature further finds that the burden of pest
18 prevention falls primarily on plant quarantine.



1 inspectors. Therefore, the legislature finds it necessary to
2 require the department of agriculture to identify areas infested
3 with these and other priority pests, provide information to
4 business owners about best management practices for controlling
5 pest populations at the source and mitigating the chances that
6 listed pests will enter transportation networks interisland and
7 intra-island, and work cooperatively with commercial entities to
8 implement these practices.

9 The legislature also finds that more information is
10 necessary to monitor risks. Therefore, this Act requires the
11 department of agriculture to conduct a pathways and commodities
12 risk assessment on little fire ants, coqui frogs, and other
13 listed pests to improve upon prevention, risk mitigation, and
14 best management practices. General, non-identifying information
15 on the pathways and risks shall be made public.

16 SECTION 2. Chapter 150A, Hawaii Revised Statutes, is
17 amended by adding five new sections to part III to be
18 appropriately designated and to read as follows:

19 "§150A- Intra-state inspection. The interisland or
20 intra-island transportation of any pest or any article regulated
21 under this chapter shall be subject to inspection, treatment,



1 and if necessary and appropriate, destruction to prevent the
2 spread and establishment of pests, including designated pests.

3 §150A- Prohibited transportation and possession. (a)

4 The interisland or intra-island transportation of any pest or
5 article that is diseased or infested with insects or any pest,
6 is likely to assist in transmission or dissemination of any
7 pest, or may be itself injurious, harmful, or detrimental to the
8 agricultural, horticultural, and aquaculture industries,
9 forestry, or environment, public health, or animal or plant
10 health is prohibited, except as provided in this chapter or by
11 rule, pursuant to requirements the department has determined are
12 adequate to prevent the spread of the pest or disease,
13 including, for articles that are infested with a pest,
14 appropriate treatment that eliminates the disease or destroys
15 the pest.

16 (b) The department may allow the interisland or intra-
17 island transportation of a pest other than a designated pest and
18 any article that is diseased or infested with such a pest, by
19 inspection certificate, to an island or locality within an
20 island where the pest is known to be established.

21 (c) Possession, harboring, transport, rearing, breeding,
22 distribution, or release of a pest is prohibited; provided that



1 the department may issue a permit for scientific research and
2 testing and related purposes under appropriate safeguards in an
3 area that may or may not be infested by the particular pest.

4 §150A- Quarantine areas. The department may designate,
5 by rule, an island within the State or locality within an island
6 that the department has determined is infested with a designated
7 pest as an infested area subject to quarantine restrictions.
8 The transportation of articles from one island designated as a
9 quarantine area for a designated pest to an island that is not
10 subject to quarantine for the pest, or from one part or locality
11 of any island designated as a quarantine area for a designated
12 pest to another part or locality of the same island that is not
13 subject to quarantine for the pest, may be allowed as provided
14 by rule or pursuant to a compliance agreement administered by
15 the department.

16 §150A- Compliance agreement. The interisland or intra-
17 island transportation of articles from an area under quarantine
18 may be allowed as provided by rule or provided that the
19 consignor and consignee of the articles are participants in the
20 department's interisland compliance agreement program for
21 commercial entities.



1 §150A- Penalties. Any commercial entity that
2 transports interstate a designated pest or an article diseased
3 or infested with such a pest shall be subject to a fine equal to
4 the value of the shipment or \$ _____, whichever is greater."

5 SECTION 3. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 4. New statutory material is underscored.

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



Report Title:

Invasive Species; Pests; Inspections, Treatment, and
Destruction; Transport; Prohibitions; Quarantine; Penalties

Description:

Makes regulated articles subject to pest inspection, treatment, and destruction. Prohibits transportation of designated pests or diseased or infested articles. Prohibits possession, harboring, transportation, rearing, breeding, distribution, or release of pests except as allowed by permit. Allows designation of quarantine areas and establishment of compliance agreements for transportation of certain articles. Establishes penalties for violations. Effective 7/1/2050. (HD1)

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

