
A BILL FOR AN ACT

RELATING TO THE AUDITOR.

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

1 SECTION 1. The legislature finds that invasive species
2 arrive at United States ports of entry every day, hidden in the
3 wooden crates, pallets, and shipping containers used to
4 transport agricultural cargo, or concealed in the imported goods
5 themselves. Failure to detect and intercept these invasive
6 species imposes serious economic and social costs on all
7 Americans.

8 The United States Department of Agriculture has stated that
9 foreign pests and disease already cost the United States economy
10 tens of billions of dollars annually in lower crop values,
11 eradication programs, emergency payments to farmers, and
12 increased costs for food and other natural resources.

13 In light of the current and potential staggering economic
14 costs of invasive species, which fall on businesses, taxpayers,
15 and local governments that have no way to avoid the harm, it is
16 critical to focus on prevention, specifically improving
17 agricultural import and entry processes.



1 Economic costs are just one aspect of the severe
2 consequences that can result from foreign pests and disease
3 slipping through our ports. In Hawaii, which is home to more
4 endangered species per square mile than any other area on the
5 planet, invasive species and disease could permanently devastate
6 our fragile ecosystem. Hawaii is ranked highest among the fifty
7 states in risk to biodiversity of plants, mammals, birds, and
8 reptiles. Over one hundred species of native plants, ninety per
9 cent of seven hundred fifty species of terrestrial snails and
10 seventy-one of at least one hundred thirteen bird species have
11 already been lost to extinction. While Hawaii accounts for only
12 0.2 per cent of the landmass of the United States, Hawaii is
13 home to thirty-eight per cent of the nation's threatened and
14 endangered plants and forty-one per cent of the nation's
15 endangered birds. For the majority of these extinct and
16 endangered species, invasive species are a primary contributor
17 to their decline.

18 During the attempt to expand Kahului airport in 1998, the
19 federal Departments of Agriculture, Transportation, and Interior
20 joined the state departments of agriculture, land and natural
21 resources, and health, in signing a memorandum of understanding



1 that recognized that the oceanic island ecosystems in general,
2 and the Hawaiian islands and Maui in particular, are highly
3 susceptible to damage from alien invasive species, including
4 damage to the natural, agricultural, and human assets.

5 The record of decision for Kahului airport stated that
6 there are serious concerns about the airport as an entry point
7 for alien invasive species. Further, because the introduction
8 of alien invasive species poses serious problems to the State's
9 ecosystem, any introduction of alien invasive species via the
10 airport or any other entry points may lead to significant
11 cumulative impacts. As a result, federal and state agencies
12 cooperatively devised the alien species action plan to further
13 minimize the chance of alien species introductions via aircraft
14 arriving at Kahului airport. The Federal Aviation
15 Administration made the requirement of the biological opinion
16 and the alien species action plan conditions of its approval.

17 In similar fashion, in 2004, the Hawaii Superferry signed
18 an agreement to buy two nine-hundred-passenger, two-hundred-
19 eighty-vehicle vessels, only to go bankrupt in 2009, because of
20 costly environmental litigation.



1 Hawaii is now the center of the United States military's
2 strategic rebalance to the Asia-Pacific region. When military
3 movements are completed, sixty per cent of the United States
4 Navy's fleet will be in the Pacific-Indian Ocean area. However,
5 the rebalance to the Asia-Pacific region not only has a military
6 component, it is also a whole-of-government approach. It
7 entails strengthening alliances and partnerships and building an
8 economic infrastructure. The Trans-Pacific Partnership
9 agreement has been signed and is expected to cover forty per
10 cent of world gross domestic product and nearly a third of world
11 exports. Hawaii must be ready for this strategic pivot that is
12 expected to shape the global order in coming decades.

13 The Hawaii biosecurity system, which was based on the alien
14 species action plan, and improved through consultation with the
15 agricultural, environmental, and transportation sectors, was
16 moving rapidly towards completion. However, the current
17 administration has continued to undermine Hawaii's quarantine
18 system, creating more gaps in our battle to prevent the
19 introduction of invasive pest species. Inspectors are
20 inspecting less imported cargo at the ports, and their insect
21 and disease interception rates have dropped drastically from the



1 3,416 interceptions in fiscal year 2013 to the 1,034
2 interceptions in fiscal year 2015. There is visible frustration
3 with the administration's lack of transparency in failing to
4 provide annual reports required by law for the last two years
5 and increased concerns from members of the agricultural and
6 environmental communities, and the public at-large, regarding
7 the lack of progress in continuing the implementation of the
8 biosecurity program.

9 Nationally, the United States Department of Transportation
10 has shown leadership in initiating various measures to prevent
11 the spread of invasive species. For example, the Great Lakes
12 and Mississippi River Interbasin Study identifies options to
13 prevent and control the spread of aquatic nuisance species among
14 waterways and river basins on the continental United States.
15 The federal Department of Transportation is also exploring
16 methods to facilitate practical and effective ballast water
17 treatment technology and provide data for informed decisions for
18 the appropriate ballast water discharge standards. Similarly,
19 Hawaii's legislature established biosecurity as a priority for
20 the airport and harbor modernization projects.



1 The legislature finds that the transfer of the plant
2 quarantine branch of the department of agriculture to the
3 department of transportation will facilitate more effective
4 inspections at ports and transitional facilities under the
5 authority of the department of transportation. The legislature
6 believes that such an organizational shift will enhance the
7 State's efforts to ensure biosecurity and reduce the
8 introduction of invasive species while balancing the
9 efficiencies of the transportation network.

10 Accordingly, the purpose of this Act is to require the
11 auditor to conduct an audit of the plant quarantine branch of
12 the department of agriculture to facilitate its transfer from
13 the department of agriculture to the department of
14 transportation.

15 SECTION 2. The auditor shall conduct a financial and
16 performance audit of the duties and facilities of the plant
17 quarantine branch of the department of agriculture, including
18 the branch's biosecurity program and related programs, to
19 facilitate the transfer of the branch from the department of
20 agriculture to the department of transportation and to
21 reestablish the branch as a division within the department of



1 transportation to regulate the transportation modes and impose
2 adequate quarantine and biosecurity measures at ports of entry
3 by January 1, 2018.

4 The auditor shall submit a report of its findings and
5 recommendations, including any proposed legislation, to the
6 governor and the legislature no later than twenty days prior to
7 the convening of the regular session of 2017.

8 SECTION 3. This Act shall take effect upon its approval.
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INTRODUCED BY:

	
	
	
	
	
	



H.B. NO. 2542

Report Title:

Auditor; DOA; Plant Quarantine Branch; DOT; Audit

Description:

Directs the auditor to audit the plant quarantine branch of DOA to facilitate its transfer to DOT.

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