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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE A  
PROPOSAL TO MOVE THE PLANT QUARANTINE BRANCH TO THE  
DEPARTMENT OF TRANSPORTATION.

1           WHEREAS, introduced or non-native species have and will  
2 continue to have devastating impacts on Hawaii's agriculture,  
3 natural environment, economy, public health, and quality of  
4 life; and

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6           WHEREAS, the State's tourism depends upon Hawaii's unique  
7 environment; and

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9           WHEREAS, there are more endangered species in the State of  
10 Hawaii than in any other state in the United States, and of all  
11 the plants and birds known to be extinct in the nation, two-  
12 thirds are from Hawaii; and

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14           WHEREAS, without vigilant inspection, prohibited and  
15 restricted insects, diseases, viruses, plants, and animals can  
16 be introduced and established in the State, and can endanger the  
17 public health, safety, and welfare; and

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19           WHEREAS, once established, invasive species are a matter of  
20 serious public concern, causing millions of dollars in damage to  
21 agriculture and the environment, and cannot be eradicated; and

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23           WHEREAS, inspection at the ports is considered the best  
24 quarantine measure to reduce the entry of unwanted plants and  
25 animals into Hawaii; and

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27           WHEREAS, the current administration has continued to  
28 undermine Hawaii's quarantine system, creating more gaps in  
29 Hawaii's battle to prevent the introduction of invasive pest  
30 species; and



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2 WHEREAS, there are increased concerns about the State of  
3 Hawaii Department of Agriculture's inability to hire inspectors  
4 in a timely manner; and

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6 WHEREAS, Department of Agriculture's inspectors are  
7 inspecting less imported cargo at the ports, and insect and  
8 disease interceptions have dropped nearly eighty per cent during  
9 the last three years; and

10  
11 WHEREAS, pursuant to section 150A-52, Hawaii Revised  
12 Statutes, the Biosecurity Program is designed to prevent the  
13 entry into the State and interisland movement of pests and  
14 prohibited organisms, as well as eradicate, control, reduce,  
15 suppress, seize, and dispose of incipient pest populations and  
16 prohibited organisms; and

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18 WHEREAS, the Department of Agriculture has failed to comply  
19 with sections 150A-56 and 150A-57, Hawaii Revised Statutes, by  
20 failing to submit reports to the Legislature on the status of  
21 the Biosecurity Program for fiscal years 2012-2013, 2013-2014,  
22 and 2014-2015; and

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24 WHEREAS, members of the agricultural sector, the  
25 environmental sector, and the community have expressed concern  
26 over the Department of Agriculture's lack of transparency and  
27 progress on the implementation of the Biosecurity Program; and

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29 WHEREAS, the only two pathways for introduced species to  
30 arrive in Hawaii are air and maritime transportation; and

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32 WHEREAS, air transportation has been proven to be  
33 particularly vulnerable, and has been a pathway through which  
34 invasive and illegal species, plants, and animals have arrived  
35 in Hawaii; and

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37 WHEREAS, the Federal Aviation Administration is moving  
38 toward a sustainable airport concept, which implements  
39 sustainable principles as part of airport planning; and

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41 WHEREAS, these core principles of sustainability are:  
42 protection of the environment, maintenance of high and stable



1 levels of economic growth, and social progress that recognizes  
2 all stakeholders' needs; and

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4 WHEREAS, Order 5190.6B of the Federal Aviation  
5 Administration Airport Compliance Manual states that "[a]n  
6 airport may use its revenue to support a community's use of  
7 airport property if the expenditures are directly and  
8 substantially related to the operation of the airport"; and

9  
10 WHEREAS, inspection of incoming commodities is  
11 substantially related to the operation of state airports,  
12 especially with regard to the movement of air passengers and  
13 cargo; and

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15 WHEREAS, airlines have vocally objected to the reduction of  
16 inspection hours by the State of Hawaii Department of  
17 Agriculture; and

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19 WHEREAS, adequate staffing and facilities enhance the safe  
20 and efficient movement of passengers and cargo through the  
21 airports, while inadequate staffing and facilities create a  
22 backlog of cargo at the airports; and

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24 WHEREAS, insufficient inspection personnel and facilities  
25 prevent imported commodities from being inspected and released,  
26 and thus result in these commodities rotting and decaying at the  
27 airports; and

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29 WHEREAS, the transfer of the Plant Quarantine Branch of the  
30 State Department of Agriculture to the State Department of  
31 Transportation will facilitate more effective inspections at  
32 ports and transitional facilities under the authority of the  
33 Department of Transportation; and

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35 WHEREAS, the foregoing organizational shift will enhance  
36 the State's efforts to ensure biosecurity, reduce the  
37 introduction of invasive species, and balance the efficiencies  
38 of the transportation network; now, therefore,

39  
40 BE IT RESOLVED by the House of Representatives of the  
41 Twenty-eighth Legislature of the State of Hawaii, Regular  
42 Session of 2016, the Senate concurring, that the Legislative



# H.C.R. NO. 197

1 Reference Bureau is requested to evaluate the duties and  
 2 facilities of the Plant Quarantine Branch of the Department of  
 3 Agriculture, including the branch's Biosecurity Program and  
 4 related programs; and

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 6 BE IT FURTHER RESOLVED that the Legislative Reference  
 7 Bureau is requested to focus on the current state of the Plant  
 8 Quarantine Branch and make recommendations on the resources  
 9 necessary for the Plant Quarantine Branch to fully and properly  
 10 carry out its purpose and responsibilities pursuant to chapter  
 11 150A, Hawaii Revised Statutes; and

12  
 13 BE IT FURTHER RESOLVED that the Legislative Reference  
 14 Bureau is requested to evaluate the advantages and disadvantages  
 15 of a proposed move of some or all of the functions of the Plant  
 16 Quarantine Branch to the Department of Transportation; and

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 18 BE IT FURTHER RESOLVED that the Department of Agriculture  
 19 and the Department of Transportation are requested to provide  
 20 any information and other assistance the Bureau may require; and

21  
 22 BE IT FURTHER RESOLVED the Legislative Reference Bureau is  
 23 requested to report its findings and recommendations, including  
 24 any proposed legislation, to the Legislature no later than  
 25 twenty days before the convening of the Regular Session of 2017;  
 26 and

27  
 28 BE IT FURTHER RESOLVED that certified copies of this  
 29 Concurrent Resolution be transmitted to the Director of the  
 30 Legislative Reference Bureau, the Chairperson of the Board of  
 31 Agriculture, and the Director of Transportation.

OFFERED BY:

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K. Ito      [Signature]  
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 Lynn DeCote  
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