

JAN 28 2015

A BILL FOR AN ACT

RELATING TO THE BIOSECURITY PROGRAM.

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

1 SECTION 1. The legislature finds that biosecurity is an
2 overarching issue that requires cooperation and collaboration by
3 numerous parties in order to be addressed properly and to insure
4 the protection of our environment, community, and local
5 agriculture.

6 The legislature finds that the department of agriculture has
7 multiple duties and activities that address the issue of
8 biosecurity and that initiatives to improve Hawaii biosecurity go
9 beyond the confines of any one branch within the department, and
10 often including other groups both inside and outside of state
11 government.

12 Groups that positively contribute to Hawaii biosecurity
13 efforts include, but are not limited to, The hawaii invasive
14 species council, department of land and natural resources, United
15 States Department of Agriculture, coordinating group on alien
16 pest species, and private companies that utilize best management
17 practices when transporting products and equipment throughout the
18 State.

1 The purpose of this bill is to establish the biosecurity
2 program as the responsibility of the department of agriculture
3 rather than a branch of the department to enable the program to
4 address biosecurity issues across the entire department.

5 SECTION 2. Chapter 141, Hawaii Revised Statutes, is amended
6 by adding a new part to be appropriately designated and to read
7 as follows:

8 **"PART . BIOSECURITY PROGRAM**

9 **§141-A Biosecurity program; establishment.** The
10 department shall establish a biosecurity program authorized under
11 this chapter that shall operate in conjunction with other
12 relevant state agencies and laws.

13 **§141-B Objectives of biosecurity program.** The objectives
14 of the biosecurity program shall be to:

15 (1) Establish a multi-dimensional system to prevent the
16 entry into the State and interisland movement of pests
17 prohibited animals, or restricted organisms without a
18 permit; and

19 (2) Respond effectively to eradicate, control, reduce, and
20 suppress incipient pest populations and established
21 pests and seize and dispose of prohibited animals or
22 restricted organisms without a permit.

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1 **§141-C General actions to achieve objectives.** To achieve
2 the objectives of the biosecurity program, the department shall
3 plan for and, within available funds, implement the following:

4 (1) Work with government agencies and agricultural
5 commodity exporters of other states and countries to
6 establish pre-entry inspection programs under which
7 inbound cargo into the State is inspected at the ports
8 of departure or other points outside the State;

9 (2) Establish, operate, or participate in operating port-
10 of-entry facilities where multiple government agencies
11 may inspect, quarantine, fumigate, disinfect, destroy,
12 or exclude, as appropriate, articles that may harbor
13 pests or exclude articles that are prohibited or that
14 are restricted without a permit, with the goals of:

15 (A) Performing inspections in an efficient, effective,
16 and expeditious manner for the government agencies
17 involved and for cargo owners, carriers, and
18 importers; and

19 (B) Providing for the proper and safe storage and
20 handling of cargo, especially agricultural and
21 food commodities, awaiting inspection;

22 (3) Develop, implement, and coordinate post-entry measures
23 to eradicate, control, reduce, and suppress pests and,

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

18 **§141-D Biosecurity program; charges; costs.** (a) The
19 department shall set and impose charges for the inspection,
20 quarantine, and eradication of pests in accordance with this
21 chapter and chapter 150A. The department shall deposit the
22 charges into the pest inspection, quarantine, and eradication
23 fund established pursuant to section 150A-4.5.

1 (b) The department shall set the charges at amounts
2 intended to generate revenues that, when combined with federal
3 and other funds, are sufficient to pay for the operating and
4 maintenance cost of the program and debt service on bonds issued
5 to fund facilities constructed for the program.

6 **§141-E Federal and other funds.** The department shall
7 place high priority on seeking and applying for federal and other
8 funds for the biosecurity program.

9 **§141-F Annual report.** The department shall submit an
10 annual report on the biosecurity program to the legislature no
11 later than twenty days prior to the convening of each regular
12 session of the legislature.

13 SECTION 3. Chapter 150A, part VI, Hawaii Revised Statutes,
14 is repealed.

15 SECTION 4. This Act, upon its approval, shall take effect
16 on July 1, 2015.

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INTRODUCED BY: 

BY REQUEST

Report Title:

Biosecurity program; objectives; general actions; and program charges.

Description:

Improve the effectiveness of Hawaii biosecurity program by establishing the program as a function of the whole Department of Agriculture. The improvement of Hawaii biosecurity goes beyond the confines of the plant quarantine branch and often also includes other groups both inside and outside of state government.

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 THE BIOSECURITY PROGRAM.

PURPOSE: To establish the Hawaii biosecurity program as a responsibility of the entire Department of Agriculture, instead of it being solely a Plant Quarantine Branch function.

MEANS: Amend chapter 141, Hawaii Revised Statutes, by adding a new part that contains the provisions of part VI, chapter 150A, and repeal chapter 150A part VI, Hawaii Revised Statutes

JUSTIFICATION: As invasive species continue to enter and move throughout the State, biosecurity needs to be realized as an overarching issue that requires cooperation and collaboration by numerous parties in order to be addressed properly and to insure the protection of our environment, community, and local agriculture.

The Department of Agriculture has multiple duties and activities that address the issue of biosecurity. Initiatives to improve Hawaii biosecurity go beyond the confines of the Plant Quarantine Branch and often include other groups both inside and outside of state government.

Impact on the public: Would provide further protection from the spread of invasive species and agricultural pests in Hawaii through a more inclusive approach to securing the Hawaii biosecurity program.

Impact on the department and other agencies: Increased collaboration of the Hawaii biosecurity program with other branches within the Department of Agriculture

including, but not limited to, the Plant Pest Control Branch, and the animal industry division. Also, increased biosecurity collaboration will be realized through the Hawaii Invasive Species Council, Department of Land and Natural Resources, United States Department of Agriculture, Coordinating Group on Alien Plant Species, and private companies that utilize "best management practices" when transporting products and equipment throughout the State.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: AGR 192.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: July 1, 2015.