
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
7 has multiple duties and activities that address the issue of
8 biosecurity and that initiatives to improve Hawaii biosecurity
9 go beyond the confines of any one branch within the department,
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,
15 United States Department of Agriculture, coordinating group on
16 alien pest species, and private companies that utilize best
17 management practices when transporting products and equipment
18 throughout the State.



1 The purpose of this Act 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
6 amended by adding a new part to be appropriately designated and
7 to read as follows:

8 **"PART . BIOSECURITY PROGRAM**

9 **§141- Definitions.** As used in this part, unless the
10 context requires otherwise, "department" means the department of
11 agriculture.

12 **§141- Biosecurity program; establishment.** The
13 department shall establish a biosecurity program authorized
14 under this part that shall operate in conjunction with other
15 relevant state agencies and laws.

16 **§141- Objectives of biosecurity program.** The objectives
17 of the biosecurity program shall be to:

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



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

5 **§141- General actions to achieve objectives.** To achieve
6 the objectives of the biosecurity program, the department shall
7 plan for and, within available funds, implement the following:

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

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

19 (A) Performing inspections in an efficient,
20 effective, and expeditious manner for the



- 1 government agencies involved and for cargo
2 owners, carriers, and importers; and
- 3 (B) Providing for the proper and safe storage and
4 handling of cargo, especially agricultural and
5 food commodities, awaiting inspection;
- 6 (3) Develop, implement, and coordinate post-entry measures
7 to eradicate, control, reduce, and suppress pests and,
8 as appropriate, eradicate or seize and dispose of
9 prohibited animals, or restricted organisms without a
10 permit that have entered the State;
- 11 (4) Collaborate with relevant government agencies,
12 agricultural commodity importers, and other persons to
13 examine and develop integrated systems to better
14 implement the biosecurity program;
- 15 (5) Improve cargo inspection capabilities and methods,
16 including enhancement of the content and submission
17 requirements for cargo manifests and agricultural
18 commodity ownership and movement certificates;
- 19 (6) Promote the production of agricultural commodities in
20 the State to reduce cargo shipments of imported
21 commodities into the State; and



1 (7) Provide public education on the negative effects of
2 pests and prohibited animals or restricted organisms
3 without a permit, to the environment and economy of
4 the State.

5 **§141- Biosecurity program; charges; costs.** (a) The
6 department shall set and impose charges for the inspection,
7 quarantine, and eradication of pests in accordance with this
8 chapter and chapter 150A. The department shall deposit the
9 charges into the pest inspection, quarantine, and eradication
10 fund established pursuant to section 150A-4.5.

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

16 **§141- Federal and other funds.** The department shall
17 place high priority on seeking and applying for federal and
18 other funds for the biosecurity program.

19 **§141- Annual report.** The department shall submit an
20 annual report on the biosecurity program to the legislature no



1 later than twenty days prior to the convening of each regular
2 session of the legislature."

3 SECTION 3. Chapter 141, Hawaii Revised Statutes, is
4 amended by designating sections 141-1 to 141-10 as part I,
5 entitled "General Provisions".

6 SECTION 4. Chapter 150A, part VI, Hawaii Revised Statutes,
7 is repealed.

8 SECTION 5. This Act, upon its approval, shall take effect
9 on July 1, 2015.



Report Title:

Department of Agriculture; Biosecurity Program; Objectives;
General Actions; Program Charges

Description:

Establishes the Hawaii biosecurity program as a function of the
whole department of agriculture. (SD2)

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not legislation or evidence of legislative intent.*

