
A BILL FOR AN ACT

RELATING TO BIOSECURITY.

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

1 SECTION 1. This Act shall be known and may be cited as the
2 "Clift Tsuji Act".

3 SECTION 2. The legislature finds that the unchecked spread
4 of invasive species is one of the greatest threats to Hawaii's
5 economy and natural environment, as well as to the health and
6 lifestyle of Hawaii's people. Invasive pests can cause millions
7 of dollars in crop losses, the extinction of native species, the
8 destruction of native forests, the spread of disease, and the
9 quarantine of exported agricultural crops.

10 Island ecosystems are particularly vulnerable to the
11 destructive power of invasive pests. On Guam, the accidental
12 introduction of the brown tree snake has resulted in widespread
13 devastation. Without natural predators or competition for food,
14 brown tree snake populations have grown exponentially, causing
15 mass extinction of endemic birds. Where there were once bird
16 songs, the forests of Guam are now silent and home to as many as
17 fifteen thousand snakes per square mile. The introduction of



1 just one new pest like the brown tree snake could change the
2 ecological character of the Hawaiian islands forever.

3 Despite the State's ongoing efforts to detect and eradicate
4 invasive species, Hawaii's fragile island ecosystem is
5 constantly at risk from insects, disease-bearing organisms,
6 snakes, weeds, and other invasive pests. The coconut rhinoceros
7 beetle, little fire ant, coffee berry borer, coqui frog, and
8 other introduced invasive species are disrupting the delicate
9 balance of island ecosystems, crowding out native species, and
10 reducing the biodiversity of Hawaii.

11 The department of agriculture has created a biosecurity
12 program to fight invasive species on several fronts by:

- 13 (1) Administering pre-entry measures to minimize the risk
14 of invasive pests entering the State;
- 15 (2) Conducting port-of-entry inspections to detect and
16 quarantine or destroy pests upon arrival; and
- 17 (3) Administering post-entry measures to mitigate the
18 establishment of pests in the State.

19 The department of agriculture has also supported the growth
20 of Hawaii's agriculture industry by attempting to reduce the
21 State's dependency on imported agricultural products that may



1 contain pests. The legislature further finds that the
2 department of agriculture's biosecurity program is vital to the
3 public's health and welfare, and the department must fully
4 execute its comprehensive strategy to control and prevent
5 increasing invasive species threats from entering into and
6 spreading throughout the State. While inspections are critical,
7 building local capacity to increase the State's ability to stop
8 the entry of high-risk products would enhance our ability to
9 mitigate and manage invasive species. This is vitally important
10 not only to protect our fragile environment, but also to grow
11 our local agricultural industries and to increase levels of
12 self-sufficiency and sustainability.

13 The legislature further finds that the lack of adequate
14 resources has seriously undermined the plant quarantine branch's
15 functionality and has resulted in the compromise of the
16 effectiveness and efficiency of the quarantine and biosecurity
17 programs.

18 The purpose of this Act is to:

19 (1) Reaffirm the legislature's finding that the
20 implementation of the department of agriculture's
21 biosecurity program is vital to the State;



1 (2) Require the department of agriculture to establish
2 parameters and construction requirements for
3 biosecurity facilities; and

4 (3) Appropriate moneys to enable the department of
5 agriculture to complete the implementation of the
6 biosecurity program to include import replacement and
7 pest management programs.

8 SECTION 3. Section 150A-53, Hawaii Revised Statutes, is
9 amended to read as follows:

10 " [+] §150A-53 [+] **General actions to achieve objectives.**

11 (a) To achieve the objectives of the biosecurity program, the
12 department shall plan for and, within available legislative
13 appropriations[-] or through funding from other sources,
14 implement the following:

15 (1) Work with government agencies and agricultural
16 commodity exporters of other states and countries to
17 establish pre-entry inspection programs under which
18 inbound cargo into the State is inspected at the ports
19 of departure or other points outside the State;

20 (2) Establish, operate, or participate in operating port-
21 of-entry facilities where multiple government agencies



1 may inspect, quarantine, fumigate, disinfect, destroy,
2 or exclude as appropriate, articles that may harbor
3 pests or exclude articles that are prohibited or
4 restricted without a permit, with the goals of:

5 (A) Performing inspections in an efficient,
6 effective, and expeditious manner for the
7 government agencies involved and for cargo
8 owners, carriers, and importers; and

9 (B) Providing for the proper and safe storage and
10 handling of cargo, especially agricultural and
11 food commodities, awaiting inspection;

12 (3) Develop, implement, and coordinate post-entry measures
13 to eradicate, control, reduce, and suppress pests and,
14 as appropriate, eradicate or seize and dispose of
15 prohibited or restricted organisms without a permit
16 that have entered the State;

17 (4) Collaborate with relevant government agencies,
18 agricultural commodity importers, and other persons to
19 examine and develop joint integrated systems to better
20 implement the biosecurity program;



1 (5) Improve cargo inspection capabilities and methods,
2 including enhancement of the content and submission
3 requirements for cargo manifests and agricultural
4 commodity ownership and movement certificates;

5 (6) Promote the production of agricultural commodities in
6 the State to reduce cargo shipments of imported
7 commodities into the State; and

8 (7) Provide public education on the negative effects of
9 pests and prohibited or restricted organisms without a
10 permit, to the environment and economy of the State.

11 (b) The department shall establish parameters and
12 construction requirements for biosecurity facilities that
13 provide for and ensure the safety of agricultural and food
14 commodities consumed by Hawaii residents, including cold storage
15 facilities established by private-public partnerships to
16 preserve the quality and ensure the safety of the commodities
17 arriving at the State's airports and harbors."

18 SECTION 4. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so much
20 thereof as may be necessary for fiscal year 2017-2018 and the
21 same sum or so much thereof as may be necessary for fiscal year



1 2018-2019 for the biosecurity program of the department of
2 agriculture; provided that the sums appropriated shall be used
3 for the following projects:

- 4 (1) Import replacement of high risk crops and the
5 development of systems management to enhance pest
6 management practices;
- 7 (2) Development of quarantine treatment options;
- 8 (3) Development and implementation of diagnostics to
9 quickly and reliably identify new and evolving pests
10 and diseases;
- 11 (4) Improvement of productivity of inspection capacity;
12 and
- 13 (5) Public and agriculture industry education activities.

14 The sums appropriated shall be expended by the department
15 of agriculture for the purposes of this Act.

16 SECTION 5. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Department of Agriculture; Biosecurity Program; Import
Replacements; Appropriations; Clift Tsuji Act

Description:

Requires the DOA to establish parameters and construction requirements for biosecurity facilities that provide for and ensure the safety of agricultural and food commodities. Makes appropriations for the biosecurity program, including projects for import replacements of high risk crops. Effective 7/1/2050.
(SD1)

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