
A BILL FOR AN ACT

RELATING TO AGRICULTURAL EMERGENCIES.

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

1 SECTION 1. Chapter 141, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§141-A Agricultural emergencies. (a) If the board of
5 agriculture determines that an adverse effect on Hawaii's
6 agricultural industry resulting from world conflict, terrorist
7 threat, natural disaster, or outbreak of disease, regardless of
8 when or where occurring, may result in substantial interruption
9 of commerce and crop production to the State and adversely
10 affect the welfare of the people of the State, the board of
11 agriculture shall submit a request to the governor to declare
12 that an emergency exists, as defined under section 125-1
13 pertaining to agriculture, an agricultural emergency.

14 (b) Upon declaration by the governor that an agricultural
15 emergency exists pursuant to subsection (a) and consistent with
16 chapter 127A, the department of agriculture shall develop and
17 implement measures to respond to the agricultural emergency.



1 §141-B Agricultural emergency trust fund. (a) There is
2 established outside the state treasury, a trust fund to be known
3 as the agricultural emergency trust fund to be administered by
4 the board of agriculture as trustee of the trust fund and into
5 which shall be deposited:

- 6 (1) Any moneys appropriated by the legislature;
- 7 (2) Any moneys received from gifts, grants, or other
8 contributions of money; and
- 9 (3) All interest earned or accrued on moneys in the trust
10 fund.

11 Any balance in the trust fund at the end of a fiscal year shall
12 be carried forward to the next fiscal year.

13 (b) Moneys in the trust fund shall be used exclusively to
14 provide for the implementation of emergency measures to respond
15 to any adverse effects on the agricultural industry resulting
16 from world conflict, terrorist threat, natural disaster, or the
17 outbreak of disease that may result in substantial interruption
18 of commerce and crop production in the State and adversely
19 affect the welfare of the people of the State pursuant to
20 section 141-A.



1 (c) Use of the trust fund under this section shall be
2 provided for in articles, bylaws, resolutions, or other
3 instruments executed by the board of agriculture as trustee of
4 the trust fund.

5 (d) The board of agriculture shall submit a report to the
6 legislature no later than twenty days prior to the convening of
7 each regular session to provide an accounting of the receipts
8 and expenditures of the trust fund."

9 SECTION 2. Section 141-1, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§141-1 Duties in general.** The department of agriculture
12 shall:

13 (1) Gather, compile, and tabulate, from time to time,
14 information and statistics concerning:

15 (A) Entomology and plant pathology: Insects, scales,
16 blights, and diseases injurious or liable to
17 become injurious to trees, plants, or other
18 vegetation, and the ways and means of
19 exterminating pests and diseases already in the
20 State and preventing the introduction of pests
21 and diseases not yet here; and



- 1 (B) General agriculture: Fruits, fibres, and useful
2 or ornamental plants and their introduction,
3 development, care, and manufacture or
4 exportation, with a view to introducing,
5 establishing, and fostering new and valuable
6 plants and industries;
- 7 (2) Encourage and cooperate with the agricultural
8 extension service and agricultural experiment station
9 of the University of Hawaii and all private persons
10 and organizations doing work of an experimental or
11 educational character coming within the scope of the
12 subject matter of chapters 141, 142, and 144 to 150A,
13 and avoid, as far as practicable, duplicating the work
14 of those persons and organizations;
- 15 (3) Enter into contracts, cooperative agreements, or other
16 transactions with any person, agency, or organization,
17 public or private, as may be necessary in the conduct
18 of the department's business and on such terms as the
19 department may deem appropriate; provided that the
20 department shall not obligate any funds of the State,
21 except the funds that have been appropriated to the



1 department. Pursuant to cooperative agreement with
2 any authorized federal agency, employees of the
3 cooperative agency may be designated to carry out, on
4 behalf of the State the same as department personnel,
5 specific duties and responsibilities under chapters
6 141, 142, 150A, and rules adopted pursuant to those
7 chapters, for the effective prosecution of pest
8 control and animal disease control and the regulation
9 of import into the State and intrastate movement of
10 regulated articles;

11 (4) Secure copies of the laws of other states,
12 territories, and countries, and other publications
13 germane to the subject matters of chapters 141, 142,
14 and 144 to 150A, and make laws and publications
15 available for public information and consultation;

16 (5) Provide buildings, grounds, apparatus, and
17 appurtenances necessary for the examination,
18 quarantine, inspection, and fumigation provided for by
19 chapters 141, 142, and 144 to 150A; for the obtaining,
20 propagation, study, and distribution of beneficial
21 insects, growths, and antidotes for the eradication of



1 insects, blights, scales, or diseases injurious to
 2 vegetation of value and for the destruction of
 3 injurious vegetation; and for carrying out any other
 4 purposes of chapters 141, 142, and 144 to 150A;

5 (6) Develop and implement emergency measures to respond to
 6 any adverse effects on Hawaii's agricultural industry
 7 pursuant to section 141-A and consistent with chapter
 8 127A;

9 ~~(6)~~ (7) Formulate and recommend to the governor and
 10 legislature additional legislation necessary or
 11 desirable for carrying out the purposes of chapters
 12 141, 142, and 144 to 150A;

13 ~~(7)~~ (8) Publish at the end of each year a report of the
 14 expenditures and proceedings of the department and of
 15 the results achieved by the department, together with
 16 other matters germane to chapters 141, 142, and 144 to
 17 150A and that the department may deem proper;

18 ~~(8)~~ (9) Administer a program of agricultural planning and
 19 development, including the formulation and
 20 implementation of general and special plans, including
 21 but not limited to the functional plan for



1 agriculture; administer the planning, development, and
2 management of the agricultural park program; plan,
3 construct, operate, and maintain the state irrigation
4 water systems; review, interpret, and make
5 recommendations with respect to public policies and
6 actions relating to agricultural land and water use;
7 assist in research, evaluation, development,
8 enhancement, and expansion of local agricultural
9 industries; and serve as liaison with other public
10 agencies and private organizations for the above
11 purposes. In the foregoing, the department shall act
12 to conserve and protect agricultural lands and
13 irrigation water systems, promote diversified
14 agriculture, increase agricultural self-sufficiency,
15 and ensure the availability of agriculturally suitable
16 lands; and
17 ~~[(+9)]~~ (10) Manage, administer, and exercise control over any
18 public lands, as defined under section 171-2, that are
19 designated important agricultural lands pursuant to
20 section 205-44.5, including but not limited to



1 establishing priorities for the leasing of these
2 public lands within the department's jurisdiction."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2019-2020 and the
6 sum of \$ or so much thereof as may be necessary for
7 fiscal year 2020-2021 to be deposited into the agricultural
8 emergency trust fund established by this Act.

9 SECTION 4. There is appropriated out of the agricultural
10 emergency trust fund the sum of \$ or so much thereof as
11 may be necessary for fiscal year 2019-2020 and the same sum or
12 so much thereof as may be necessary for fiscal year 2020-2021 to
13 carry out the purposes of the agricultural emergency trust fund
14 established by this Act.

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

17 SECTION 5. In codifying the new sections added by section
18 1 of this Act, the revisor of statutes shall substitute
19 appropriate section numbers for the letters used in designating
20 the new sections in this Act.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 31, 2150,
4 except that sections 3 and 4 shall take effect on July 1, 2019.



Report Title:

Agricultural Emergencies; Agricultural Emergency Trust Fund

Description:

Authorizes the Board of Agriculture to request that the Governor declare an agricultural emergency to respond to substantial interruptions in commerce or crop production. Requires the DOA to develop and implement agricultural emergency response measures. Establishes and funds the Agricultural Emergency Trust Fund, to be managed by the Board. (HB450 HD1)

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