

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**MORRIS M. ATTA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
KA 'OIHANA MAHI'AI  
1428 South King Street  
Honolulu, Hawai'i 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS**

**FEBRUARY 10, 2023**  
**10:00 AM**  
**CONFERENCE ROOM 325**

**HOUSE BILL NO. 544**  
**RELATING TO REGULATION OF IMPORTATION**

Chairperson Gates, Vice Chair Kahaloa, and Members of the Committee:

Thank you for the opportunity to testify on House Bill 544 relating to the regulation of importation. This bill requires the State of Hawaii Plant and Animal Declaration Form to be distributed, completed, and transmitted electronically. The Department supports this bill and offers comments.

The Department supports transitioning the declaration form from paper to an electronic format and the pilot project that is in the planning stage. However, the Department believes that a feasibility study, which is currently ongoing through the Hawaii Tourism Authority, is required before such action can be taken. Prior to implementation, the State must ensure that there exists an electronic system that is: 1) able to properly interface with the existing systems of all respective transportation carriers to uniformly collect the necessary information required on the declaration form, and 2) able to adequately safeguard the vast amount of traveler data. Without such a system, each transportation carrier would be responsible for implementing their own electronic declaration form or face penalties for not being able to electronically distribute or transmit the declaration form. With each carrier using their own system of collecting,



managing, and transmitting the declaration form, it would result in data management inconsistencies requiring the State to adjust itself to whatever electronic data is provided by each transportation carrier, eliminating much of the consistency that digitization of the form seeks to provide.

The Department also suggests changes to HRS 150A-5(2)(B) to add additional language to ensure that the declaration forms are transmitted electronically in a timely fashion. The first proposed change is indicated in bold below:

**"Prior to the debarkation of passengers or baggage,**  
[E]completed forms shall be [~~collected by the~~  
~~transportation company and be delivered, immediately upon~~  
~~arrival,~~] transmitted to the inspector at the first airport  
or seaport of arrival."

As currently stated in the bill, the transportation company could conceivably electronically transmit the declaration forms to the inspector after all passengers and bags departed the airport, negating the purpose of the form. The proposed addition would clarify to the transportation companies when the forms must be transmitted.

The second proposed change to HRS 150A-5(2)(B) is indicated in bold below:

"Failure to distribute **or transmit** [~~or collect~~] declaration forms **prior to the debarkation of passengers or baggage** [~~or to immediately deliver completed forms~~] is a violation of this section; and"

This proposed change would ensure clarity that it is violation of this section should the transportation company fail to distribute or transmit the declaration forms prior to debarkation of passengers or baggage, further incentivizing compliance.

In addition, the Department would require additional resources, financial and personnel, for the successful development and efficient implementation of an electronic declaration form. Currently, the Hawaii Tourism Authority is covering the costs of the hard copy paper form of the agricultural declaration form with no costs to the Department.

Thank you for the opportunity to testify on this measure.



P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 10, 2023

HEARING BEFORE THE  
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**TESTIMONY ON HB 544**  
RELATING TO INVASIVE SPECIES

Conference Room 325 & Videoconference  
10:00 AM

Aloha Chair Gates, Vice-Chair Kahaloa, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports HB 544**, which requires the State of Hawai'i Plant and Animal Declaration Form to be distributed, completed, and transmitted electronically.

Invasive species have become one of the most challenging problems impacting Hawai'i. Many invasive species are damaging Hawai'i's environment and the state's economy. Agriculture has a vested interest in this matter. Agriculture is one of the major casualties when invasive species are introduced. Every year, numerous new pests are introduced into the State, such as the coqui frog, coffee berry borer, coffee leaf rust, macadamia felted coccid, brown tree snake, little fire ant, two-lined spittlebug, coconut rhinoceros beetle, small hive beetle and varroa mite, to name a few. Control measures take time to develop, leaving farmers and ranchers at risk.

Our ports-of-entry biosecurity program is essential to prevent invasive species from entering the state. The State of Hawai'i Plant and Animal Declaration Form helps prevent new invasive species from entering Hawai'i when completed by passengers and flight crews arriving in Hawai'i. Converting the current paper form to an electronic form will increase the number of completed forms which can help decrease the number of restricted plant and animal species entering the state.

Thank you for the opportunity to testify on this measure.

**HB-544**

Submitted on: 2/8/2023 4:35:24 PM

Testimony for AGR on 2/10/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
James Kong	Individual	Comments	Written Testimony Only

Comments:

Greetings,

In Section 1.2A responsibility for Transportation Companies should include travel agents, shipping companies, freight forwarding companies, and airlines ticketing agents.

In Section 1.2B completed forms shall be electronically entered into a State database with subsections for airports and shipping companies. Tagged restricted items will be automatically pulled from the filing person's manifest and goods will be pulled by the Department of Agriculture Inspectors at the receiving area and inspected for contraband. Visitor information forms will also be put into an electronic database that is available to all residents of Hawaii.

Section 1.2C Responsibility should also include vessel loaders, manifest handlers, and all ticketing agents.

Section 1.2.2A should include airports that do not have Agriculture Inspection facilities would have ALL the passengers baggage inspected by Department of Agriculture Inspectors in Hawaii prior to being claimed by the owners.

I hope that these are added to the bill before being voted on.

Thank you,

James Kong

**HB-544**

Submitted on: 2/9/2023 12:15:17 AM

Testimony for AGR on 2/10/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

support