JAN 15 2025

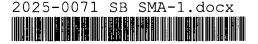
A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

- 1 SECTION 1. The legislature finds that invasive pests such
- 2 as insects and pathogens found on firewood imported into the
- 3 State can pose a significant risk to native forests and plants.
- 4 Firewood harvested from low-quality living trees or dead trees
- 5 can continue to harbor certain pests or diseases that lead to
- 6 the trees' poor condition or death.
- 7 A number of pests established in the continental United
- 8 States, such as the emerald ash borer and Asian longhorned
- 9 beetle, and diseases such as the laurel wilt pathogen, which
- 10 kills laurel and avocado, and oak wilt, which kills oak trees,
- 11 including many other pests and diseases, can travel in or on
- 12 domestic firewood. These pests and diseases pose a danger to
- 13 the State's forests, environment, natural resources,
- 14 horticultural and agricultural industries, and residents.
- 15 The legislature also finds that the United States
- 16 Department of Agriculture had adopted domestic quarantine
- 17 regulations for the wood-boring emerald ash borer, which

- 1 requires much of the firewood harvested in the United States to
- 2 be heat-treated before interstate movement or sale. However,
- 3 these domestic quarantine regulations were removed in January
- 4 2021.
- 5 To fill the gap, many states, including Florida, New York,
- 6 Tennessee, and Utah, have adopted requirements mandating that
- 7 firewood imported into their respective states be heat-treated
- 8 to disinfect the firewood. Presently, the Hawaii department of
- 9 agriculture does not have any treatment requirements for
- 10 firewood. This lack of regulations remains a significant
- 11 biosecurity gap in Hawaii. Additionally, the United States
- 12 Department of Agriculture requires that all firewood imported
- 13 into Hawaii from a foreign country be treated before importation
- 14 and all importers are required to possess a timber and timber
- 15 products import permit.
- 16 The legislature further finds that the Hawaii department of
- 17 agriculture held public informational meetings for stakeholders
- 18 on a proposed rule that would require treatment of domestic
- 19 imported firewood in May and June 2022. However, the department
- 20 of agriculture has not made progress in requesting to enter
- 21 rulemaking since that time. The National Plant Board created



- 1 model language to assist states in the adoption of firewood
- 2 treatment standards to prevent the spread of pests on firewood.
- 3 Adopting these standards will close the existing biosecurity gap
- 4 in Hawaii.
- 5 Accordingly, the purpose of this Act is to require firewood
- 6 imported into the State from another state to be heat-treated or
- 7 imported under certain exemptions to prevent the spread of
- 8 invasive pests.
- 9 SECTION 2. Chapter 150A, Hawaii Revised Statutes, is
- 10 amended by adding a new section to part II to be appropriately
- 11 designated and to read as follows:
- 12 "§150A- Firewood; heat-treatment; requirements;
- 13 exemptions. (a) The introduction of firewood into the State
- 14 from another state and the transportation or sale of firewood
- 15 within the State shall be prohibited except for:
- 16 (1) Firewood that is certified by an appropriate federal
- 17 or state agency as heat-treated and labeled in
- accordance with subsection (b); or
- 19 (2) Firewood introduced pursuant to subsection (c), heat-
- treated, if required, and labeled in accordance with
- subsection (b).



1	(b)	Firewood imported into the State shall bear a clear								
2	and consp	icuous label on each package of firewood intended to be								
3	offered,	exposed, or held for sale that contains the following								
4	informati	information:								
5	(1)	State of origin of firewood;								
6	(2)	If the firewood is imported pursuant to subsection								
7		<u>(a)(1):</u>								
8		(A) A statement that the firewood has been certified								
9		as heat-treated; and								
10		(B) The name of the federal or state certifying								
11		agency and the certificate number;								
12	(3)	Identification of the commodity as firewood, unless								
13		the contents can be easily identified through the								
14		wrapper or container; and								
15	(4)	Name and address of the manufacturer, packer, or								
16	distributor of the firewood.									
17	<u>(c)</u>	The department may authorize the importation or sale								
18	of firewo	od on a case-by-case basis if the person producing,								
19	processin	g, or importing the firewood is operating under a								
20	complianc	e agreement or other contract with an appropriate								

1 federal or state agency; provided that the department shall 2 determine that the firewood: 3 (1) Is heat treated; or 4 Will not pose an unacceptable risk of introducing or (2) 5 spreading an insect, disease, or other pest. 6 The department may, at any time, revoke an exemption (d) 7 under subsection (c) due to a change in the risk assessment. 8 (e) Any person who imports firewood into the State shall 9 maintain, and make available to the department upon request, 10 records of imports for at least two years. 11 (f) Firewood harvested within the State shall not be 12 subject to the requirements of this section. (g) As used in this section: 13 14 "Firewood" means any kindling, logs, timber, or other portions of a tree of any species four feet or less in length; 15 16 cut or split, or intended to be cut or split, into a form and 17 size appropriate for use as fuel for fires in an open or closed 18 pit, grill, fireplace, stove, wood burning furnace; or in any 19 other form commonly used for burning in campfires, stoves, or 20 fireplaces.

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S.B. NO. 140

1	"Heat-treated"	means	firewood	that	has	been	heated	to	at

- 2 least one hundred sixty degrees Fahrenheit for seventy-five
- 3 minutes at wood core."
- 4 SECTION 3. New statutory material is underscored.
- 5 SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Report Title:

Firewood; Import; Restrictions; Exemption

Description:

Prohibits the importation of firewood into the State, except for firewood that meets certain standards. Requires firewood that is imported into the State from another state to be certified and labeled as heat-treated. Establishes certain exemptions.

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