

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
18 accordance with subsection (b); or

19 (2) Firewood introduced pursuant to subsection (c), heat-
20 treated, if required, and labeled in accordance with
21 subsection (b).



1 (b) Firewood imported into the State shall bear a clear
2 and conspicuous label on each package of firewood intended to be
3 offered, exposed, or held for sale that contains the following
4 information:

5 (1) State of origin of firewood;

6 (2) If the firewood is imported pursuant to subsection

7 (a) (1):

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 (c) The department may authorize the importation or sale
18 of firewood on a case-by-case basis if the person producing,
19 processing, or importing the firewood is operating under a
20 compliance 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 (2) Will not pose an unacceptable risk of introducing or
5 spreading an insect, disease, or other pest.

6 (d) The department may, at any time, revoke an exemption
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.

13 (g) As used in this section:

14 "Firewood" means any kindling, logs, timber, or other
15 portions of a tree of any species four feet or less in length;
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.



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.

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INTRODUCED BY:  _____



S.B. NO. 140

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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