

ACT 202

H.B. NO. 1568

A Bill for an Act Relating to Agriculture.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The efficient and secure movement of agricultural commodities—whether imported into the State, exported out of the State, or transported between the islands of the State—is key to the long-term viability of Hawaii’s agriculture industry. Inefficiencies in cargo transportation increase the cost of goods and raise the risk of spoilage and loss. Consumers and retailers demand safe food products; farmers and wholesalers follow food-safety guide-

lines and regulations. The transportation of agricultural commodities from producer to consumer cannot be the weak link in the system.

The inspection and proper treatment of incoming and outgoing commodities reduce the probability of the introduction of new pests to Hawaii's agricultural industry and reduce the likelihood of a quarantine on Hawaii's exported goods. In addition, export commodities need to be inspected by the United States Department of Agriculture or state department of agriculture to meet the applicable domestic or foreign quarantine or restriction.

Currently, there are only two pathways for introduced species to arrive in the State: air and sea transportation. Air transportation has been proven to be the highest risk pathway, transporting introduced species, invasive species and pests, various illegal plants and animals, and a higher quantity of non-native pests, which are more likely to become established in our islands. Each year, eighty per cent of the insects intercepted by inspectors are at Hawaii's airports.

The legislature finds that the Federal Aviation Administration is moving toward a sustainable airport concept that implements sustainable principles as part of airport planning, the core principles of which are:

- (1) Protecting the environment;
- (2) Maintaining high and stable levels of economic growth; and
- (3) Social progress that recognizes all stakeholders' needs.

This program makes these issues a core objective of the airport and not a secondary concern.

The purpose of this Act is to initiate and continue the implementation of biosecurity facilities at Hawaii's ports and applicable off-port locations. These facilities would be in accord with section 150A-53(2) and (4), Hawaii Revised Statutes, which directs the department of agriculture to:

- “(2) Establish, operate, or participate in operating port-of-entry facilities where multiple government agencies may inspect, quarantine, fumigate, disinfect, destroy, or exclude as appropriate, articles that may harbor pests or exclude articles that are prohibited or restricted without a permit, with the goals of:
 - (A) Performing inspections in an efficient, effective, and expeditious manner for the government agencies involved and for cargo owners, carriers, and importers; and
 - (B) Providing for the proper and safe storage and handling of cargo, especially agricultural and food commodities, awaiting inspection;
- * * *
- (4) Collaborate with relevant government agencies, agricultural commodity importers, and other persons to examine and develop joint integrated systems to better implement the biosecurity program.”

SECTION 2. Chapter 261, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§261- **Biosecurity, inspection, and cargo support facilities.** (a)¹ The department shall coordinate with the department of agriculture to facilitate the inspection, consolidation, deconsolidation, and treatment of imported and exported agriculture and other inspected commodities to meet the needs of each island and to facilitate the safe movement of enplaned and deplaned air cargo through the airports.”

SECTION 3. Chapter 266, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§266- Biosecurity, inspection, and cargo support facilities. (a) The department of transportation shall provide space at commercial harbors for biosecurity and inspection facilities and to facilitate the safe and efficient movement of maritime cargo through the commercial harbors.

(b) The department and department of agriculture shall plan, design, and construct biosecurity, inspection, consolidation, deconsolidation, and treatment facilities for use by the department of agriculture to enhance the efficient and safe movement of imported and exported marine cargo, to include food safe and food security guidelines and standards.”

SECTION 4. New statutory material is underscored.²

SECTION 5. This Act shall take effect on July 1, 2011.

(Approved July 8, 2011.)

Notes

1. No subsection (b).
2. Edited pursuant to HRS §23G-16.5.