

ACT 258

H.B. NO. 306

A Bill for an Act Relating to Ornamental Ginger.

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

SECTION 1. The legislature finds that *Alpinia purpurata*, commonly known as ornamental ginger, is a popular plant that is commonly used in tropical landscape designs. The plant's red and pink floral brackets are often used as an ornamental flower in floral arrangements seen everywhere across the State, from Waikiki hotel lobbies to cemeteries. However, due to emerging diseases, commercial production of ornamental ginger in the State declined by forty-six per cent between 2014 and 2018; no statistics are available after 2018. Producers in the affected areas are clearing their lands, as they can no longer economically produce ornamental ginger. Neighboring farmers and off-island clientele are concerned about the spread of the disease pathogens and have asked the department of agriculture to quarantine the movement of plants from these areas.

The legislature further finds that flower producers have brought their concerns about emerging diseases to the department of agriculture, University of Hawaii college of tropical agriculture and human resources, East Oahu County Farm Bureau, and Hawaii Farm Bureau. In response, researchers and extension agents at the college of tropical agriculture and human resources conducted a statewide survey and causal agent identification study. The study determined that a combination of six viruses, including two viruses never before identified, is the cause of the ornamental ginger's decline, with other pathogens and ornamental ginger genetic variation as possible contributing factors. The viruses are found statewide but are most prevalent on Oahu and Hawaii island. Virus-infected plants cannot be cured, and virus-infected plants are currently the main plants being propagated for more plantings, thus worsening the problem. Most large-scale operations have virus-infected plants. Without additional research and a multi-agency approach, these pathogens could spread further and impact the profitability and long-term sustainability of the local ornamental and landscape production industries.

The legislature additionally finds that, according to the study conducted by the college of tropical agriculture and human resources, the most effective

solutions in the immediate term are to produce virus-free plants for the industry to begin propagating and to test methods of managing virus-infected plants that are currently being grown. Recommended tasks are to develop protocols for tissue culture of *Alpinia purpurata* and its cultivars, produce virus-free plants in collaboration with the Hawaii Agriculture Research Center for distribution to statewide stakeholders, develop cultural management strategies for managing virus-infected plants, and educate growers about those management strategies and the importance of virus-free plants.

The purpose of this Act is to appropriate funds to the University of Hawaii for statewide research and prevention of pathogens affecting ornamental ginger.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$125,000 or so much thereof as may be necessary for fiscal year 2023-2024 for statewide research into ornamental ginger pathogens, prevention of the spread of ornamental ginger pathogens, production and distribution of pathogen-free ornamental ginger plants, and outreach to ornamental ginger producers.

The sum appropriated shall be expended by the University of Hawaii for the purposes of this Act.

SECTION 3. In accordance with section 9 of article VII of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1,¹ will cause the state general fund expenditure ceiling for fiscal year 2023-2024 to be exceeded by \$1,063,767,367 or 10 per cent. In addition, the appropriations contained in this Act will cause the general fund expenditure ceiling for fiscal year 2023-2024 to be further exceeded by \$125,000 or 1 per cent. The combined total amount of general fund appropriations contained in only these two Acts will cause the state general fund expenditure ceiling for fiscal year 2023-2024 to be exceeded by \$1,063,892,367 or 11 per cent. The reasons for exceeding the general fund expenditure ceiling are that:

- (1) The appropriation made in this Act is necessary to serve the public interest; and
- (2) The appropriation made in this Act meets the needs addressed by this Act.

SECTION 4. This Act shall take effect on July 1, 2023.

(Approved July 7, 2023.)

Note

1. Act 164.