HOUSE OF REPRESENTATIVES TWENTY-SEVENTH LEGISLATURE, 2014 STATE OF HAWAII H.R. NO. **121**

HOUSE RESOLUTION

SUPPORTING FEDERAL RECOGNITION OF HAWAII'S UNIQUE BIOSECURITY NEEDS AND COORDINATION BETWEEN FEDERAL AND STATE INSPECTION AGENCIES, INCLUDING INFORMATION SHARING BETWEEN FEDERAL AND STATE INSPECTION STAFF AND THE DEVELOPMENT OF INSPECTION FACILITIES.

WHEREAS, the Commerce Clause of the United States
 Constitution provides that the United States Congress shall have
 the power to regulate commerce with foreign nations and between
 the States; and

6 WHEREAS, the United States Plant Protection Act of 2000 7 preempts state regulation in foreign commerce of any plant, 8 plant pest, noxious weed, or plant product; and

10 WHEREAS, the United States Plant Protection Act of 2000 11 provides exceptions from federal preemption only for interstate 12 commerce and only when a state demonstrates a special need for 13 additional prohibitions or restrictions based on sound 14 scientific data or a thorough risk assessment; and

16 WHEREAS, the State of Hawaii receives foreign commerce from 17 a variety of nations and from the mainland United States; and

19 WHEREAS, the environment of the State of Hawaii is distinct 20 from other states or political subdivisions of the United States 21 due to its unique ecology as an isolated volcanic island chain 22 with high rates of endemism among its plant and animal species; 23 and

25 WHEREAS, the State of Hawaii has unique biosecurity needs
26 that are distinct from other states or political subdivisions of
27 the United States; now, therefore,

29 BE IT RESOLVED by the House of Representatives of the 30 Twenty-seventh Legislature of the State of Hawaii, Regular 31 Session of 2014, that this body supports federal recognition of 32 the State of Hawaii's unique biosecurity needs through measures



5

9

15

18

24

28

H.R. NO.121

including, but not limited to, expedited exemptions from federal preemption for state regulation in foreign or interstate commerce of high-risk pests that are not present in the State of Hawaii; and

6 BE IT FURTHER RESOLVED that this body supports the 7 restriction of importation of all plants in the Myrtaceae family 8 in order to prevent the introduction of new strains of ohia rust 9 (Puccinia psidii) into the State of Hawaii; and

BE IT FURTHER RESOLVED that this body supports coordination and information sharing between federal and state inspection agencies, including but not limited to, important manifests and interception data for the purpose of identifying pests of both federal and state concern in all commerce; and

17 BE IT FURTHER RESOLVED that this body supports the 18 development of federal and state inspection facilities for cargo 19 entering Hawaii as this is the most practical and cost-effective 20 option for federal and state biosecurity operations; and 21

22 BE IT FURTHER RESOLVED that certified copies of this 23 Resolution be transmitted to the Governor of the State of 24 Hawaii, Hawaii's congressional delegation, the United States 25 Secretary of Agriculture, and the Chairperson of the Board of 26 Agriculture of the State of Hawaii.

27 28

5

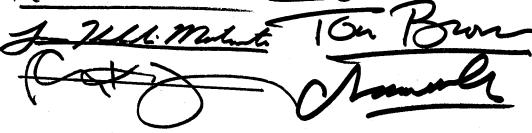
10

16

29

OFFERED BY:

Karen Guraa



MAR 0 7 2014

BKJ.J.

en Evane

