
A BILL FOR AN ACT

RELATING TO BIOSECURITY.

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

1 SECTION 1. The legislature finds that the unchecked spread
2 of invasive species is one of the greatest threats to Hawaii's
3 economy, natural environment, and the health and lifestyle of
4 Hawaii's people. Invasive pests can cause millions of dollars
5 in crop losses, the extinction of native species, the
6 destruction of native forests, the spread of disease, and the
7 quarantine of exported agricultural crops.

8 Island ecosystems are particularly vulnerable to the
9 destructive power of invasive pests. On Guam, the accidental
10 introduction of the brown tree snake has resulted in widespread
11 devastation. Without natural predators or competition for food,
12 brown tree snake populations have grown exponentially, causing
13 mass extinction of endemic birds. Where there were once bird
14 songs, the forests of Guam are now silent and home to as many as
15 fifteen thousand snakes per square mile. The introduction of
16 just one new pest like the brown tree snake could change the
17 ecological character of the Hawaiian islands forever.



1 Despite the State's ongoing efforts to detect and eradicate
2 invasive species, Hawaii's fragile island ecosystem is
3 constantly at risk from insects, disease-bearing organisms,
4 snakes, weeds, and other invasive pests. The coconut rhinoceros
5 beetle, little fire ant, coffee berry borer, coqui frog, and
6 other introduced invasive species are disrupting the delicate
7 balance of island ecosystems, crowding out native species, and
8 reducing the biodiversity of Hawaii.

9 The department of agriculture has created a biosecurity
10 program to fight invasive species on several fronts by:

- 11 (1) Administering pre-entry measures to minimize the risk
12 of invasive pests entering the State;
- 13 (2) Conducting port-of-entry inspections to detect and
14 quarantine or destroy pests upon arrival; and
- 15 (3) Administering post-entry measures to mitigate the
16 establishment of pests in the State.

17 The department of agriculture has also supported the growth
18 of Hawaii's agriculture industry by attempting to reduce the
19 State's dependency on imported agricultural products that may
20 contain pests. The legislature finds that the department of
21 agriculture's biosecurity program is vital to the public's



1 health and welfare, and the department must fully execute its
2 comprehensive strategy to control and prevent increasing
3 invasive species threats entering and spreading throughout the
4 State. While inspections are critical, building local capacity
5 to increase the State's ability to stop the entry of high-risk
6 products would enhance the State's ability to mitigate and
7 manage invasive species. This is vitally important not only to
8 protect the fragile environment, but to grow the local
9 agricultural industries and to increase levels of self-
10 sufficiency and sustainability.

11 The purpose of this Act is to:

- 12 (1) Reaffirm the legislature's finding that the
13 implementation of the department of agriculture's
14 biosecurity program is vital to the State;
- 15 (2) Authorize the department of agriculture to establish
16 or participate in public-private partnerships to
17 enhance the biosecurity program and quarantine
18 inspection process; provided that department employees
19 perform the actual inspections;



(3) Require the department of agriculture to adopt rules to establish requirements for biosecurity facilities; and

(4) Appropriate funds to enable the department of agriculture to complete the implementation of the biosecurity program to include an integrated computer manifest system.

SECTION 2. Section 150A-53, Hawaii Revised Statutes, is amended to read as follows:

"[+]§150A-53[+] General actions to achieve objectives.

(a) To achieve the objectives of the biosecurity program, the department shall plan for and, within available legislative appropriations[-] or through funding from other sources, implement the following:

(1) Work with government agencies and agricultural commodity exporters of other states and countries to establish pre-entry inspection programs under which inbound cargo into the State is inspected at the ports of departure or other points outside the State;

(2) Establish, operate, or participate in operating port-of-entry facilities where multiple government agencies



1 may inspect, quarantine, fumigate, disinfect, destroy,
2 or exclude as appropriate, articles that may harbor
3 pests or exclude articles that are prohibited or
4 restricted without a permit, with the goals of:

5 (A) Performing inspections in an efficient,
6 effective, and expeditious manner for the
7 government agencies involved and for cargo
8 owners, carriers, and importers; ~~and~~

9 (B) Providing for the proper and safe storage and
10 handling of cargo, especially agricultural and
11 food commodities, awaiting inspection; and

12 (C) Establishing or participating in public-private
13 partnerships to enhance the biosecurity program
14 and quarantine inspection process with on-port
15 and off-port facilities, including inspection and
16 treatment facilities, transitional facilities,
17 and consolidation and deconsolidation facilities;
18 provided that actual access to shipping documents
19 is limited to shipping companies and department
20 personnel; provided further that actual
21 inspections shall be performed only by department



1 employees and not private contractors or their
2 employees;

3 (3) Develop, implement, and coordinate post-entry measures
4 to eradicate, control, reduce, and suppress pests and,
5 as appropriate, eradicate or seize and dispose of
6 prohibited or restricted organisms without a permit
7 that have entered the State;

8 (4) Collaborate with relevant government agencies,
9 agricultural commodity importers, and other persons to
10 examine and develop joint integrated systems to better
11 implement the biosecurity program;

12 (5) Improve cargo inspection capabilities and methods,
13 including enhancement of the content and submission
14 requirements for cargo manifests and agricultural
15 commodity ownership and movement certificates;

16 (6) Promote the production of agricultural commodities in
17 the State to reduce cargo shipments of imported
18 commodities into the State; and

19 (7) Provide public education on the negative effects of
20 pests and prohibited or restricted organisms without a
21 permit, to the environment and economy of the State.



1 (b) The department shall adopt rules to establish
2 parameters and construction requirements for biosecurity
3 facilities that provide for and ensure the safety of
4 agricultural and food commodities consumed by Hawaii residents,
5 including for cold storage facilities established by public-
6 private partnerships to preserve the quality and ensure the
7 safety of the commodities arriving at the State's airports and
8 harbors."

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2016-2017 for
12 the biosecurity program of the department of agriculture;
13 provided that the sum appropriated shall be used for the
14 following projects:

- 15 (1) An electronic manifest system for maritime cargo
16 inspections;
- 17 (2) Import replacement of high risk crops and the
18 development of systems management to enhance pest
19 management practices;
- 20 (3) Research on new generation pesticides and development
21 of integrated pest management methods;



- 1 (4) Development of quarantine treatment options;
- 2 (5) Development and implementation of diagnostics to
- 3 quickly and reliably identify new and evolving pests
- 4 and diseases;
- 5 (6) Improvement of productivity of inspection capacity;
- 6 and
- 7 (7) Public and agriculture industry education activities.

8 The sum appropriated shall be expended by the department of

9 agriculture for the purposes of this Act.

10 SECTION 4. Statutory material to be repealed is bracketed

11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2016.



Report Title:

Agriculture; Biosecurity; Public-Private Partnerships;
Appropriation

Description:

Requires the Department of Agriculture to establish or participate in public-private partnerships to enhance the biosecurity program and quarantine inspection process. Requires the Department of Agriculture to adopt rules to establish requirements for biosecurity facilities. Appropriates funds for specified projects, including an integrated computer manifest system. (SD1)

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