

JAN 21 2022

A BILL FOR AN ACT

RELATING TO PLANT QUARANTINE FACILITIES.

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

1 SECTION 1. The legislature finds that coffee leaf rust is
2 a devastating fungal pathogen that was first discovered in Sri
3 Lanka in 1869 and subsequently detected in the State of Hawaii
4 in October 2020. Since its first detection, the Hawai'i board of
5 agriculture approved an interim administrative rule that
6 restricted the movement of coffee plants, plant parts, and other
7 coffee leaf rust hosts from islands with infected plants to stop
8 the spread to other islands. Through the State's collaborative
9 effort, the legislature further finds that an effective, long-
10 term solution to coffee leaf rust is the replacement of existing
11 coffee trees with rust-resistant varieties imported from
12 overseas.

13 The legislature further finds that existing State-owned
14 plant quarantine facilities are unable to mitigate the demand
15 for disease-resistant stock. Increasing the number of State-
16 owned plant quarantine facilities and empowering local farmers
17 to construct and manage privately-owned plant quarantine



1 facilities will benefit growers by improving the department of
2 agriculture's ability to adequately quarantine regulated plant
3 materials.

4 Accordingly, the purpose of this Act is to provide a
5 certification process for privately-owned and operated plant
6 quarantine facilities to streamline the importation and
7 quarantine process for rust-resistant coffee varieties and to
8 increase the State's capacity of plant quarantine facilities.

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 "§105A- Certification of privately-owned and operated
13 plant quarantine facilities. (a) A privately-owned and
14 operated plant quarantine facility shall not operate unless the
15 facility has been certified by the chief of the plant quarantine
16 branch.

17 (b) Certification of a privately-owned and operated plant
18 quarantine facility shall be requested in writing from the chief
19 of the plant quarantine branch in a form specified by the chief,
20 and shall attest to the following:



1 (1) The facility is of adequate construction to prevent
2 the escape of an insect, disease, or other pest;

3 (2) The facility can be securely locked;

4 (3) The facility may be accessed by the plant quarantine
5 branch as necessary to facilitate inspection;

6 (4) Quarantined material may be treated at the facility as
7 necessary to remove potential infections; and

8 (5) Any other requirements specified by the chief of the
9 plant quarantine branch.

10 (c) Privately-owned and operated plant quarantine
11 facilities shall operate under the jurisdiction of the plant
12 quarantine branch and in accordance with rules adopted by the
13 department and the plant quarantine branch.

14 (d) Certification of a privately-owned and operated plant
15 quarantine facility may be revoked upon a finding by the plant
16 quarantine branch that the facility has fallen into disrepair
17 and is no longer serviceable."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

20 INTRODUCED BY: 



S.B. NO. 2909

Report Title:

Plant Quarantine Facilities; Privately-Owned and Operated; Plant Quarantine Branch; Department of Agriculture

Description:

Provides a certification process for privately-owned and operated plant quarantine facilities.

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