

ACT 161

S.B. NO. 669

A Bill for an Act Relating to Animal Quarantine Facilities.

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

SECTION 1. The legislature finds that the animal quarantine program is essential in reducing the likelihood that the rabies virus will be introduced and established in Hawaii and in preventing the introduction of diseases and alien species, including external animal parasites such as ticks.

Recent animal quarantine program modifications have permitted substantial numbers of dogs and cats to qualify for entry into the State without undergoing confinement in quarantine. The reduced number of animals quarantined has also resulted in a reduction of the area utilized for the kenneling of animals at the animal quarantine station. Therefore, measures for alternative uses of areas not utilized for quarantine of animals should be established and moneys received for these alternative uses should be used to defray expenditures and minimize fees charged to users of the animal quarantine program.

The purpose of this Act is to:

- (1) Authorize the board of agriculture to allow use of animal quarantine facilities for reasonable rents or fees;
- (2) Require that all income received from the rental of quarantine facilities be used to defray costs from the animal quarantine program; and
- (3) Provide the means to deposit moneys derived from use of animal quarantine facilities and property into the animal quarantine special fund.

SECTION 2. Chapter 142, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§142- Authority to contract or rent facilities. The board of agriculture is authorized to contract with third parties for the use or rental of animal quarantine property or facilities; provided that:

- (1) The board determines the property or facilities are not required for use by the animal quarantine program during the term of use by the third party;
- (2) The property or facilities shall be leased or rented at fair market value; and

(3) The property or facilities shall be used only by the third party.

Revenues generated by the use or rental of the animal quarantine property or facilities shall be used to defray the operational costs of the animal quarantine program and to minimize animal quarantine fees.”

SECTION 3. Section 142-28.5, Hawaii Revised Statutes, is amended to read as follows:

“**§142-28.5 Animal quarantine special fund.** There is established the animal quarantine special fund to be administered by the board of agriculture. All moneys received by the board of agriculture [~~as fees~~] from:

- (1) Fees for the quarantine of cats, dogs, and other carnivores pursuant to this chapter^[5];
- (2) Moneys received for the use of animal quarantine property or facilities pursuant to section 142-; or [~~any state~~]
- (3) State appropriations or other moneys made available [~~for the cost of quarantine~~],

shall be deposited into the special fund. All interest earned or accrued on moneys deposited in the special fund shall become part of the special fund. Moneys in the special fund shall be expended to cover all costs of quarantine but not limited to the costs of salaries, fringe benefits, operating expenses, including the defraying of quarantine fees, equipment, motor vehicles, contract with any qualified person or entity for animal care services, operation and maintenance of the quarantine station, and promotional expenses. A reserve shall be appropriated and maintained in the special fund to cover contingency costs, including but not limited to accrued vacation leave, unemployment insurance, and workers’ compensation.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2005.

(Approved June 24, 2005.)

Note

1. Edited pursuant to HRS §23G-16.5.