

ACT 185

S.B. NO. 281

A Bill for an Act Relating to Animal Industry.

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

SECTION 1. Chapter 142, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§142- Animal industry special fund. There is established the animal industry special fund to be administered by the board of agriculture. Moneys received by the board of agriculture from:

- (1) The use or rental of the division of animal industry’s properties or facilities, including the animal quarantine property or facilities pursuant to section 142-3.5; or
- (2) Appropriations or other moneys made available,

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 costs of the division of animal industry, including the costs of salaries, fringe benefits, operating expenses, equipment, motor vehicles, contract with any qualified person or entity for livestock handling services, and operating and maintenance of the animal industry facilities; provided that moneys in the special fund may be used to fund the department’s resource management and planning programs. A reserve shall be maintained in the special fund to cover contingency costs, including accrued vacation leave, unemployment insurance, and workers’ compensation.”

SECTION 2. Section 142-3.5, Hawaii Revised Statutes, is amended to read as follows:

“§142-3.5 Authority to contract or rent facilities. The board of agriculture may contract with third parties for the use or rental of ~~[animal-quarantine] the division of animal industry’s~~ property or facilities; provided that:

- (1) The board determines the property or facilities are not required for use by the ~~[animal-quarantine program] division of animal industry~~ during the term of use by the third party;

- (2) The property or facilities shall be leased or rented at a reasonable lease rent as determined by the board of agriculture;
- (3) The property or facilities shall be used for animal welfare, including emergency shelters for animals, or [agriculture-related] other commercial purposes; and
- (4) The property or facilities shall be used only by the third party.

Revenues generated by the use or rental of the division of animal industry's property or facilities, including the animal quarantine property or facilities, shall be [used] deposited into the animal industry special fund, established pursuant to section 142- , and used to defray the operational costs of the [animal quarantine program and to minimize animal quarantine fees.] department of agriculture's division of animal industry."

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]~~ Moneys received by the board of agriculture from:

- (1) Fees for the quarantine of cats, dogs, and other carnivores pursuant to this chapter;
- (2) Moneys received for the use of animal quarantine property or facilities pursuant to section 142-3.5; or
- (3) State appropriations or other moneys made available,

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, 2011.

(Approved July 5, 2011.)

Note

1. Edited pursuant to HRS §23G-16.5.