

ACT 127

H.B. NO. 1942

A Bill for an Act Relating to Agriculture.

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

SECTION 1. The legislature finds that the full implementation of the department of agriculture's electronic importer manifest program is important. The electronic importer manifest program provides for the transfer from an importer to the plant quarantine inspector of data on all commodities of interest imported by aircraft or ship arrival. This electronic manifest system is a requirement for the department of agriculture's transitional facilities program, as the data is used by the inspector to determine the port and inspection status of each commodity, thus allowing for the movement of the selected commodities through the port.

The State's integrated technology consultant found excessive backlogs in agriculture inspections due to the State's lack of implementation of integrated technologies, as reported in the *Honolulu Star Advertiser* on September 30, 2011. The electronic importer manifest system electronically links the importer's commodities manifest to the plant quarantine branch's *invicta* database system.

Funding the implementation of the electronic importer manifest program will:

- (1) Aid in compliance with the state manifest law, section 150A-5, Hawaii Revised Statutes;
- (2) Enable inspector data for the plant quarantine inspectors to continue to be automated;

- (3) Enable better flow through the ports and reduce harbor and airport cargo congestion;
- (4) Promote compliance with the State's biosecurity law, by allowing performance of produce inspections in food safe areas;
- (5) Increase the available data on imported commodities; and
- (6) Enable the provision of data to measure food self-sufficiency and sustainability.

The purpose of this Act is to authorize the department of agriculture to expend funds to fully implement the electronic importer manifest program in the State and enable the department of agriculture to reimburse private companies that developed the program in 2011 and 2012.

SECTION 2. Section 150A-4.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The moneys in the pest inspection, quarantine, and eradication fund shall be expended by the department for the operation of biosecurity and pest inspection, quarantine, eradication, and monitoring ~~programs~~; the electronic importer manifest program; related facilities; the execution of emergency remedial measures when pests are detected in the course of inspection and quarantine activities by the department; training of inspectors; education of the agricultural industry, permit and certificate holders, and the general public as to import requirements; and for any other purposes deemed necessary to carry out the purposes of this chapter. In addition, the moneys shall be expended to facilitate the processing and issuance of permits and microorganism import documents and for the operations, activities, and monitoring of permitted and certified plants, animals, and microorganisms.”

SECTION 3. There is appropriated out of the pest inspection, quarantine, and eradication fund the sum of \$200,000 or so much thereof as may be necessary for fiscal year 2012-2013 to implement the electronic importer manifest program.

The sum appropriated shall be expended by the department of agriculture for the purposes of this Act.

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

SECTION 5. This Act shall take effect on July 1, 2012.

(Approved June 15, 2012.)