
HOUSE RESOLUTION

SUPPORTING FEDERAL RECOGNITION OF HAWAII'S UNIQUE BIOSECURITY NEEDS AND COORDINATION BETWEEN FEDERAL AND STATE INSPECTION AGENCIES, INCLUDING INFORMATION SHARING BETWEEN FEDERAL AND STATE INSPECTION STAFF AND THE DEVELOPMENT OF INSPECTION FACILITIES.

1 WHEREAS, the Commerce Clause of the United States
2 Constitution provides that the United States Congress shall have
3 the power to regulate commerce with foreign nations and between
4 the States; and

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6 WHEREAS, the United States Plant Protection Act of 2000
7 preempts state regulation in foreign commerce of any plant,
8 plant pest, noxious weed, or plant product; and

9
10 WHEREAS, the United States Plant Protection Act of 2000
11 provides exceptions from federal preemption only for interstate
12 commerce and only when a state demonstrates a special need for
13 additional prohibitions or restrictions based on sound
14 scientific data or a thorough risk assessment; and

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16 WHEREAS, the State of Hawaii receives foreign commerce from
17 a variety of nations and from the mainland United States; and

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19 WHEREAS, the environment of the State of Hawaii is distinct
20 from other states or political subdivisions of the United States
21 due to its unique ecology as an isolated volcanic island chain
22 with high rates of endemism among its plant and animal species;
23 and

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25 WHEREAS, the State of Hawaii has unique biosecurity needs
26 that are distinct from other states or political subdivisions of
27 the United States; now, therefore,

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29 BE IT RESOLVED by the House of Representatives of the
30 Twenty-seventh Legislature of the State of Hawaii, Regular
31 Session of 2014, that this body supports federal recognition of
32 the State of Hawaii's unique biosecurity needs through measures



1 including, but not limited to, expedited exemptions from federal
2 preemption for state regulation in foreign or interstate
3 commerce of high-risk pests that are not present in the State of
4 Hawaii; and

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6 BE IT FURTHER RESOLVED that this body supports the
7 restriction of importation of all plants in the Myrtaceae family
8 in order to prevent the introduction of new strains of ohia rust
9 (*Puccinia psidii*) into the State of Hawaii; and

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11 BE IT FURTHER RESOLVED that this body supports coordination
12 and information sharing between federal and state inspection
13 agencies, including but not limited to, important manifests and
14 interception data for the purpose of identifying pests of both
15 federal and state concern in all commerce; and

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17 BE IT FURTHER RESOLVED that this body supports the
18 development of federal and state inspection facilities for cargo
19 entering Hawaii as this is the most practical and cost-effective
20 option for federal and state biosecurity operations; and

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22 BE IT FURTHER RESOLVED that certified copies of this
23 Resolution be transmitted to the Governor of the State of
24 Hawaii, Hawaii's congressional delegation, the United States
25 Secretary of Agriculture, and the Chairperson of the Board of
26 Agriculture of the State of Hawaii.

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OFFERED BY: *[Signature]*

Karen Auliana

Amely Evans

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Tom Brown

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MAR 07 2014