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# A BILL FOR AN ACT

RELATING TO AGRICULTURAL PRODUCTION.

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

1           SECTION 1. The legislature finds that the State's tropical  
2 flower industry forms an important part of both the agricultural  
3 sector of the economy and the wider economy as well. Residents  
4 and businesses in the State rely on local tropical flowers and  
5 foliage grown by local farmers to beautify their homes,  
6 businesses, restaurants, and hotels. Local flowers are also  
7 often given as gifts to loved ones.

8           However, the legislature also finds that there is concern  
9 within the State's agricultural community that certain diseases  
10 that affect tropical flowers and foliage grown in the State have  
11 caused a decline in this industry. When the local supply of  
12 tropical flowers and foliage cannot meet local needs, tropical  
13 flowers and foliage must be imported from foreign countries,  
14 which in turn carries an elevated risk of inadvertently  
15 introducing other dangerous insects and diseases to the State's  
16 farms and plant nurseries. For example, in 2014, a new fungal  
17 pathogen known as rapid ohia death was identified on Hawaii



1 Island. This deadly disease has also decimated the State's  
2 native forests. The legislature further finds that there are  
3 other plant diseases and insects even more lethal and faster  
4 spreading than rapid ohia death that could potentially be  
5 introduced into the State, such as rust fungal disease. It is  
6 critical to prevent the introduction of these insects and  
7 diseases into the State to protect the vital agriculture  
8 industry.

9 Accordingly, the purpose of this Act is to minimize the  
10 risk of disease and pest introduction in the State by requiring  
11 the department of agriculture to collaborate with agricultural  
12 growers and researchers to develop and implement a program to  
13 safely distribute disease- and insect-free tropical plant  
14 materials to Hawaii farmers.

15 SECTION 2. Chapter 141, Hawaii Revised Statutes, is  
16 amended by adding a new section to part I to be appropriately  
17 designated and to read as follows:

18 "§141- Tropical flower and foliage; plant material  
19 distribution program; established. (a) The department of  
20 agriculture shall develop and implement a program that:



- 1        (1) Obtains tropical plant materials from sources within
- 2        the State and outside of the State;
- 3        (2) Diagnostically screens the tropical plant materials to
- 4        ensure the materials are free of harmful insects and
- 5        diseases;
- 6        (3) Propagates these disease- and insect-free tropical
- 7        plant materials; and
- 8        (4) Distributes the plant materials to Hawaii farmers.
- 9        (b) In developing the program required by this section,
- 10       the department of agriculture shall consult with:
- 11       (1) Tropical flower and foliage growers; and
- 12       (2) Agricultural research entities.
- 13       (c) No later than January 1, 2023, the department of
- 14       agriculture shall adopt rules to effectuate the purposes of this
- 15       section. The rules shall specify the plant species and
- 16       varieties that need additional regulations and establish
- 17       quarantine requirements, diagnostic measures, and import
- 18       requirements."

19       SECTION 3. There is appropriated out of the general  
 20 revenues of the State of Hawaii the sum of \$                    or so  
 21 much thereof as may be necessary for fiscal year 2021-2022 and



1 the same sum or so much thereof as may be necessary for fiscal  
2 year 2022-2023 to develop and implement the tropical flower and  
3 foliage plant material distribution program established by  
4 section 2 of this Act.

5 The sums appropriated shall be expended by the department  
6 of agriculture for the purposes of this Act.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

HDOA; Tropical Flowers and Foliage; Plant Materials;  
Distribution Program; Appropriations

**Description:**

Requires the Department of Agriculture to collaborate with agricultural growers and researchers to develop and implement a program to safely distribute disease- and insect-free tropical plant materials to Hawaii farmers. Requires the Department of Agriculture to adopt rules to specify the plant species and varieties that warrant additional regulations. Appropriates funds. Effective 7/1/2050. (SD2)

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