

Honolulu, Hawaii  
MAR 15, 2024

RE: S.B. No. 3237  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Agriculture & Food Systems, to which was referred S.B. No. 3237, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Agriculture to designate certain species as pests, and periodically update taxa designated as pests, for control or eradication and develop and implement a control or eradication program for each designated pest, under certain conditions;
- (2) Establish a Plant Nursery Licensing Program, as part of the Department of Agriculture's Biosecurity Program, to regulate the sale of nursery stock;
- (3) Prohibit the import of any material infested or infected with a pest or that is a pest unless imported under an appropriate permit or compliance agreement and amend the Department of Agriculture's authority to impose other limits on imports and transportation; and



- (4) Amend the method by which the Board of Agriculture makes and updates noxious weed designations and clarify responsibilities for the control or eradication of noxious weeds.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Hawai'i County Council; North Shore Neighborhood Board No. 27; 'Ahahui o nā Kauka; League of Women Voters of Hawaii; Council for Native Hawaiian Advancement; Hui Hoomalu i ka Aina; HULI PAC; Sierra Club of Hawai'i; Hawai'i Land Trust; Coordinating Group on Alien Pest Species; Hawaii's Thousand Friends; Livable Hawaii Kai Hui; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawai'i Floriculture and Nursery Association. Your Committee received comments on this measure from the Department of the Attorney General; Big Island Invasive Species Committee; Hawai'i Forest Industry Association; and Hawai'i Farm Bureau.

Your Committee finds that invasive species pose a threat to the State's endemic species, native ecosystems, and agriculture industry. To reduce this threat, it is necessary to implement greater measures to control and eradicate pests and noxious weeds. Your Committee further finds that it is necessary to impose greater regulations on the sale of nursery stock and imported materials that contain pests in order to reduce their impact on indigenous species and the agricultural economy.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized the invasive species committees or Hawaii Ant Lab to develop and implement control or eradication programs and to enter into private properties to control or eradicate pests;
- (2) Requiring the Department of Agriculture to consider impacts to each island in the State in developing and implementing control or eradication programs;
- (3) Establishing requirements for the entry of interstate shipments into the State;



- (4) Authorizing inspectors to conduct inspections of persons, baggage, cargo, and other articles imported into the State from additional United States territories;
- (5) Establish a civil penalty for knowingly selling plants infested or infected with a pest; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Department of Agriculture has indicated that it will need a capital improvement project budget for facilities statewide of approximately \$60,000,000 and staffing and operational funds of \$30,000,000 to support and implement this measure.

As affirmed by the record of votes of the members of your Committee on Agriculture & Food Systems that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3237, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3237, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Agriculture & Food  
Systems,



---

CEDRIC ASUEGA GATES, Chair



