

Honolulu, Hawaii

MAR 22, 2024

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

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

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 3237, S.D. 2, H.D. 1, 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; 'Ahahui o nā Kauka, Association of Native Hawaiian Physicians; Sierra Club of Hawai'i; Livable Hawaii Kai Hui; Environmental Caucus of the Democratic Party of Hawai'i; Hawai'i Farmers Union United; Hawaii's Thousand Friends; Kua'Āina Ulu 'Auamo; Coordinating Group on Alien Pest Species; Hawai'i Land Trust; O'ahu Invasive Species Committee; League of Women Voters of Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture and Hawaii Floriculture and Nursery Association. Your Committee received comments on this measure from the Hawai'i Forest Industry Association; Hawai'i Farm Bureau; and Big Island Invasive Species Committee.

Your Committee finds that the State imports eighty percent of its commodities and ninety percent of its food, making border biosecurity critical for preventing new invasive species from arriving and spreading in the State. Your Committee further finds that many other states combat invasive pests by routinely quarantining areas infested with high impact pests and preventing the sale of infested merchandise. Your Committee believes that this measure will grant the Department of Agriculture the tools needed to carry out its responsibilities and effectively regulate and prevent new and existing invasive species from entering Hawaii, while also promoting greater biosecurity.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3237, S.D. 2, H.D. 1, as amended herein, and



recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 3237, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

for 
MARK M. NAKASHIMA, Chair



