

Honolulu, Hawaii

APR 25

, 2025

RE: H.B. No. 427
H.D. 2
S.D. 2
C.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 427, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BIOSECURITY,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Rename the Department of Agriculture to the "Department of Agriculture and Biosecurity" (Department);
- (2) Rename the Board of Agriculture to the "Board of Agriculture and Biosecurity" (Board);
- (3) Establish a Deputy Chairperson for Biosecurity;
- (4) Require the Department to establish a Biosecurity Emergency Response Program;



- (5) Grant the Chairperson of the Board rapid response quarantine authority under certain circumstances;
- (6) Authorize the Department to establish transitional facilities and require the Department to establish standards and a licensing framework for those facilities;
- (7) Require the Department of Commerce and Consumer Affairs to license and train biosecurity inspectors to inspect imported plants and animals;
- (8) Rename the State of Hawaii plant and animal declaration form as the State of Hawaii biosecurity declaration form;
- (9) Require inspection of various items transported interisland;
- (10) Increase penalties for illegally transporting plants, animals, and microorganisms;
- (11) Require the Department to establish government-industry agreements to detect and respond to unwanted organisms in the State;
- (12) Require the Department to establish an invasive species dashboard by December 1, 2025;
- (13) Transfer the Hawaii Invasive Species Council from the Department of Land and Natural Resources to the Department;
- (14) Authorize pest management plans to address, contain, or eradicate pests;
- (15) Authorize the Department to adopt rules to establish and enforce the Plant Care Component Program;
- (16) Authorize the Department to assess administrative penalties for the enforcement of the Plant Care Component Program;
- (17) Establish positions; and
- (18) Appropriate funds.



Your Committee on Conference has amended this measure by:

- (1) Clarifying the qualifications for members of the Board of Agriculture and Biosecurity to include at least one member with a background in biosecurity;
- (2) Deleting language that would have required the Department of Agriculture and Biosecurity (Department) to establish a Biosecurity Emergency Response Program and would have granted the Chairperson of the Board rapid response quarantine authority;
- (3) Authorizing and specifying conditions under which the Department may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms;
- (4) Broadening the objectives and general actions of the Biosecurity Program;
- (5) Clarifying provisions related to transitional facilities;
- (6) Inserting a definition for "import" as used in relation to transitional facilities;
- (7) Clarifying provisions related to transitional facility licenses, including inspections to ensure compliance;
- (8) Requiring the Department, rather than the Department of Commerce and Consumer Affairs, to certify and train biosecurity compliance auditors, rather than biosecurity inspectors, to inspect imported plants and animals;
- (9) Including cut-foliage under the articles subject to conditions of importation into and transport within the State;
- (10) Repealing language that made it a violation to fail to properly distribute or collect State of Hawaii plant and animal declaration forms;
- (11) Establishing certain notification requirements for bringing or causing to be brought for entry any restricted articles into the State;



- (12) Clarifying provisions related to inspectional requirements;
- (13) Authorizing, rather than requiring, the Department to enter into government-industry agreements for readiness and response to unwanted organisms in the State;
- (14) Clarifying provisions related to the response activities included in the readiness and response agreements;
- (15) Requiring the Department to establish a pest dashboard, rather than an invasive species dashboard;
- (16) Clarifying provisions related to biosecurity and pest management plans;
- (17) Inserting an appropriation amount of \$4,250,000 for fiscal year 2025-2026 to the Department of Land and Natural Resources and fiscal year 2026-2027 to the Department, both to be used for the operations of the Hawaii Invasive Species Council;
- (18) Inserting an appropriation amount of \$500,000 for the operations of the Hawaii Ant Lab;
- (19) Deleting language that would have appropriated funds for various personnel services and for construction at the Halawa Animal Quarantine Station and Halawa Animal Industry facility;
- (20) Inserting an appropriation for \$500,000 for fiscal year 2025-2026 and fiscal year 2026-2027 for the operations of the Coconut Rhinoceros Beetle Response under the University of Hawaii;
- (21) Changing the effective date of part II (related to the establishment of a Deputy Chairperson for Biosecurity) to January 1, 2027;
- (22) Changing the effective date of part VII (related to the transfer of the Hawaii Invasive Species Council from the Department of Land and Natural Resources to the Department) to January 1, 2030; and
- (23) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 427, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 427, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE



MIKE GABBARD
Chair



CHRIS LEE
Co-Chair



JAMARIE NEOHOKALOOLE
Co-Chair



GLENN WAKAI
Co-Chair



KARL RHOADS
Co-Chair

ON THE PART OF THE HOUSE



KIRSTIN KAHALUA
Co-Chair



DAVID A. TARNAS
Co-Chair



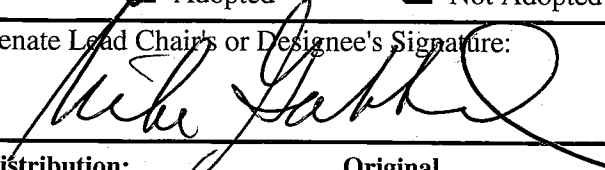
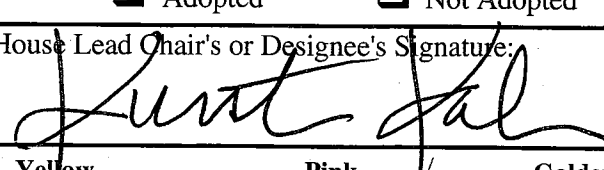
KYLE T. YAMASHITA
Co-Chair



Hawaii State Legislature

Record of Votes of a Conference Committee

CCB 220

Bill / Concurrent Resolution No.: HB 427, HD 2, SD 2					Date/Time: April 25, 2025 9:57 am					
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).										
<input type="checkbox"/> The Committee is reconsidering its previous decision.										
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E	
GABBARD, Mike, Chr.	✓				KAHALOA, Kirstin, Co-Chr.	✓				
LEE, Chris, Co-Chr.	✓				TARNAS, David A., Co-Chr.	✓				
KEOHOKALOLE, Jarrett, Co-Chr.				✓	YAMASHITA, Kyle T., Co-Chr.	✓				
WAKAI, Glenn, Co-Chr.	✓				QUINLAN, Sean				✓	
RHOADS, Karl, Co-Chr.	✓				MATSUMOTO, Lauren	✓				
AWA, Brenton				✓						
TOTAL	4			2	TOTAL	4			1	
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused			
Senate Recommendation is:					House Recommendation is:					
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:					
										
Distribution:		Original			Yellow		Pink		Goldenrod	
		File with Conference Committee Report			House Clerk's Office		Senate Clerk's Office		Drafting Agency	