

Honolulu, Hawaii

**MAR 22**, 2024

RE: S.B. No. 572  
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 572, 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 authorize and specify conditions under which the Department of Agriculture 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, and broaden the objectives and general actions of the Biosecurity Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Hawai'i Farm Bureau; Maui Chamber of Commerce; Hawaii Floriculture and Nursery Association; and two individuals. Your Committee received testimony in opposition to this measure from Hawaii Harbors Users Group.

Your Committee finds that under existing law, the Department of Agriculture has two main options to take emergency action on an invasive pest: request the Governor to declare a state of emergency due to potential loss of the environment or adopt emergency rules, including rules for the quarantine of an area or



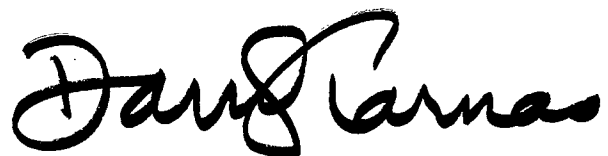
commodity. The Department may act on an invasive species or its host only if the pest has been declared a pest by the Board of Agriculture; however, the Board of Agriculture has not established a process for designating pests. Your Committee further finds that this measure provides an alternative to the existing options, which may not allow the rapid response and flexibility required to timely contain or eradicate pests.

Your Committee has amended this measure by:

- (1) Clarifying that a requisition shall terminate automatically one hundred calendar days after the declaration of a biosecurity emergency, or by a separate proclamation by the Governor;
- (2) Removing language that would have allowed awards paid out for claims for damage when the Governor requisitions and takes control of any property due to a biosecurity emergency to be paid out of the general revenues of the applicable county; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 572, 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. 572, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



